

Table B.3 Summary of Avoidance Alternatives Analysis

	Avoidance Alternatives								
	Alternative A Kern River Parkway Bridge Avoidance	Alternative A Kern River Parkway Tunnel Avoidance	Alternative A Southern Avoidance Realignment	Alternative A Historic District Tunnel Avoidance	Alternative B (Preferred Alternative)	Alternative C West Avoidance Realignment	Alternative C East Avoidance Realignment	Alternative C Construct State Route 58 in Median of State Route 99	No-Build Alternative
Feasible/Prudent Criterion									
Avoids Section 4(f) Properties?	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Meet Project Purpose and Need?	Yes	No – the tunnel affects route continuity for certain trucks.	Yes	No – the tunnel affects route continuity for certain trucks.	Yes	Yes	Yes	Yes	No
Safety/Operational Problems?	No	Yes	Yes	Yes	No	No	No	No	No
Severe Social, Economic or Environmental Impacts of Extraordinary Magnitude?	No	No	No	No	No	Yes - Isolates Saunders Park and 52 residential properties in between State Route 58 and 99.	Yes – Isolates potential historic properties and 51 residential properties in between State Route 58 and 99, and proposed 58.	No	No
Severe Disruption to an Established Community of Extraordinary Magnitude?	No	No	No	No	No	No	No	No	No
Number of Residential Relocations	417	417	417	356	310	304	217	133	0
Number of Commercial Relocations	165	165	165	127	121	205	235	199	0
Total Relocations	582	582	582	483	431	509	452	332	0
Severe Disproportionate Impacts to Minority/Low Income Populations?	No	No	No	No	No	Yes	No	No	No
Severe Impacts to Federally Protected Environmental Resources?	No	No	No	No	No	No	No	No	No
Extraordinary Additional Costs?	Yes – total cost is \$866M, which is 52% greater than Alternative B and 30% greater than Alternative C	Yes – total cost is \$1.516B, which is 166% greater than Alternative B and 128% greater than Alternative C	Yes – total cost is \$1.516B, which is 166% greater than Alternative B, 128% greater than Alternative C	Yes – total cost is \$2.091B, which is 267% greater than Alternative B, 214% greater than Alternative C	No – total cost is \$570M	Yes – total cost is \$787M, which is 14% greater than Alternative A, 38% greater than Alternative B	Yes – total cost is \$832M, which is 20% greater than Alternative A, 46% greater than Alternative B	Yes total cost is \$871M, which is 26% greater than Alternative A, 53% greater than Alternative B	No
Other Unique/Unusual Factors?	No	No	No	No	No	Yes – Would add \$9.5M to the future cost of constructing the eastbound 58 to northbound 99 and southbound 99 to westbound 58 direct connectors.	No	Yes – traffic handling and construction staging.	No
Extraordinary Cumulative Problems/Impacts?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No
Adhere to Caltrans Highway Design Manual?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Allow for Future Expansion of Facilities?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No – restricts future widening of State Route 58 without widening State Route 99 which would impact Saunders Park.	Yes
Maintain Local Traffic Circulation?	Yes	Yes	Yes	Yes	Yes	Yes	No – loss of access to westbound State Route 58 from H Street on-ramp.	Yes	Yes
Prudent?	No	No	No	No	Yes	No	No	No	No

volleyball courts would be permanently changed. The volleyball courts would be closed during the 18-month bridge construction period. The 141-foot-wide freeway bridges would permanently interfere with sand volleyball. Sand volleyball is associated with beaches, which in this case are along the river. Volleyball players would neither be able to enjoy the river nor the sunshine if the courts are beneath the freeway span. This essential feature of the park would be permanently compromised.

This avoidance alternative would not compromise the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need, result in unacceptable safety or operational problems, cause any of the impacts listed in 23 CFR 774.17(3)(iii) even after reasonable mitigation, result in extraordinary operational or maintenance costs, cause other unique problems or unusual factors, but would have extraordinary impacts caused by a combination of the number of residential and commercial relocations (582) and cost.

The construction cost of the avoidance alternative, however, would result in costs of extraordinary magnitude and would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(iv). The bridges over the Kern River Parkway would increase the construction cost of Alternative A by \$50 million. In addition, the total cost of this avoidance alternative must also include the cost of avoiding the Rancho Vista Historic District. For Alternative A, there are two avoidance alternatives for the Rancho Vista Historic District: a southern avoidance alternative, which would cost an additional \$125 million or the Rancho Vista Historic District tunnel alternative, which would cost an additional \$700 million. As a result, the total project costs for this alternative would be \$866 million with the southern avoidance alignment, 52 percent greater than the cost of Alternative B and 30 percent more than the cost of Alternative C. If the Rancho Vista Historic District tunnel option is used, the total cost of this alternative would be \$1.441 billion, about 153 percent greater than the cost of Alternative B (or more than double the cost) and 116 percent greater than Alternative C (again, more than double the cost). (See Section 6.5, Avoidance Alternatives for the Rancho Vista Historic District).

As stated earlier, the Thomas Roads Improvement Program has a total of \$726 million available; any amount over the available funds would be considered to have a cost of extraordinary magnitude. The cost of this avoidance alternative would exceed the budget available for the whole Centennial Corridor Project. Should either combination of these avoidance alternatives be selected, the Centennial Corridor could not be built.

For the reasons stated above, the Kern River Parkway Bridge Avoidance Alternative is not considered prudent.

Kern River Parkway Tunnel Avoidance

This variation of Alternative A would require building a tunnel beneath the Kern River Parkway. The proposed tunnel would be 4,500 feet long and follow the Alternative A alignment. The tunnel would begin just after South Villas Green Brier Lane, then cross under the Carrier Canal, Truxtun Avenue, the Kern River Parkway, the Kern River, and the Cross Valley Canal. The width of the tunnel would allow for six traffic lanes with provisions for two additional lanes in the future for a total of eight traffic lanes.

Tunnels provide an enclosed area where fires caused by accidents with vehicles hauling hazardous materials may result in unacceptable safety problems, within the meaning of 23 CFR 774.17(3)(ii). Consequently, such vehicles would be prohibited from using the tunnel during certain hours. These vehicles, diverted to the local streets, would contribute to congestion. This avoidance alternative would therefore not meet the goal of route continuity as provided by the project's purpose and need.

This avoidance alternative would not compromise the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need, result in unacceptable operational problems, cause any of the impacts listed in 23 CFR 774.17(3)(iii) even after reasonable mitigation, result in extraordinary operational or maintenance costs, cause other unique problems or unusual factors, but would have extraordinary impacts caused by a combination of the number of residential and commercial relocations (582), safety issues, failure to meet the purpose and need (route continuity for trucks hauling hazardous material), and cost.

The construction costs of the avoidance alternative, however, would result in costs of extraordinary magnitude. And would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(iv). A tunnel under the Kern River Parkway would increase the construction cost of Alternative A by \$700 million. In addition, the total cost of this avoidance alternative must also include the cost of avoiding the Rancho Vista Historic District. For Alternative A, there are two avoidance alternatives for the Rancho Vista Historic District: a southern avoidance alternative, which would cost an additional \$125 million or the Rancho Vista Historic District tunnel alternative, which would cost an additional \$700 million. As a result, the total project costs for this alternative would be \$1.516 billion with the southern avoidance alignment, about 166

percent greater than the cost of Alternative B (or more than double the cost), or 128 percent greater than the cost of Alternative C (again more than double the cost). If the Rancho Vista Historic District tunnel option is used, the total cost of this alternative would be \$2.091 billion, about 267 percent greater than the cost of Alternative B (or more than three times the cost) or 214 percent greater than Alternative C (again, more than three times the cost).

As stated above, the combined cost of the other four Thomas Roads Improvement Program projects is \$156 million. The cost of this avoidance alternative would prevent construction of any other Thomas Roads Improvement Program projects. Additionally, the cost would exceed the budget available for the whole Centennial Corridor Project, which is \$710 million. Should either combination of these avoidance alternatives be selected, the Centennial Corridor could not be built. This is considered a construction cost of extraordinary magnitude.

Accordingly, this avoidance alternative is not prudent under 23 CFR 774.17(3)(vi), as it involves multiple factors in paragraphs (3)(i) through (3)(v) of that section.

6.4 Avoidance Alternatives for Rancho Vista Historic District

The Alternative B alignment is located about 110 feet away from the nearest contributing residence within the Rancho Vista Historic District, and includes a sound wall approximately 10 to 14 feet in height to be constructed approximately 75 feet from the closest edge of the historic property boundary. Alternative C is located about 1,300 feet west from the Rancho Vista Historic District at its closest boundary edge. Therefore, these two alternatives would avoid the Historic District and no direct impacts would result. Constructive use of the Rancho Vista Historic District for Alternatives B and C is not anticipated. Similarly, the No-Build Alternative would not affect this property because none of the proposed build alternatives would be constructed.

Alternative A

Alternative A cannot avoid the Kern River Parkway and Rancho Vista Historic District (see Figure 15). Alternative A is not a Section 4(f) avoidance alternative, regardless of the success or lack of success of avoiding the Rancho Vista Historic District. To be thorough, however, two avoidance alternatives were considered in relation to this historic district: the Southern Avoidance Realignment Alternative and the Tunnel Avoidance Alternative. A northern avoidance alternative is not included because this would be the same as Alternative B.

Southern Avoidance Realignment Alternative

The Southern Avoidance Realignment alternative would introduce an S-curve beginning at the State Route 99/State Route 58 interchange and would realign Alternative A south to avoid the Rancho Vista Historic District. The proposed alignment would curve south, cross over Stine Road between Quarter Avenue and Fishing Drive, curve north to cross over Stockdale Highway about 700 feet farther to the west than Alternative A, and connect back into the original alignment before becoming an overcrossing at Truxtun Avenue. This alternative would increase the length of State Route 58 by about 0.2 mile and require replacement of the State Route 58 separation bridges above State Route 99.

This avoidance alternative would not compromise the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need, cause any of the impacts listed in 23 CFR 774.17(3)(iii) even after reasonable mitigation, result in extraordinary operational or maintenance costs, cause other unique problems or unusual factors, but would have extraordinary impacts caused by a combination of the number of residential and commercial relocations (582), safety issues, and cost.

However, the S-curve geometrics (curve to the left followed immediately by a curve to the right) that would be required for this alternative are not preferred for new freeways and could cause decreased speeds and increased congestion, resulting in unacceptable safety and operational issues, and would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(ii). Additionally, the Southern Avoidance Realignment alternative would result in costs of extraordinary magnitude and would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(iv). This alternative would also require the acquisition of an additional 61 residential and 38 commercial properties compared to Alternative A. Overall, this alternative would increase Alternative A construction costs by \$125 million.

Additionally, the total cost of this avoidance alternative must also include the cost of avoiding the Kern River Parkway. For Alternative A, there are two avoidance alternatives for the Kern River Parkway: a tunnel alternative, which would cost an additional \$700 million and a bridge alternative, which would cost an additional \$50 million. As a result, the total project costs for this alternative would be \$1.516 billion with the Kern River Parkway Tunnel Avoidance alternative, about 166 percent greater than the cost of Alternative B (more than double the cost) or 128 percent greater than Alternative C (more than double the cost). If the bridge option is used,

total cost would be \$866 million, about 52 percent greater than the cost of Alternative B or 30 percent greater than Alternative C.

As stated above, the combined cost of the other four Thomas Roads Improvement Program projects is \$156 million. The cost of this avoidance alternative would prevent construction of any other Thomas Roads Improvement Program projects. Additionally, the cost would exceed the budget available for the whole Centennial Corridor Project. Should either combination of these avoidance alternatives be selected, the Centennial Corridor could not be built .

For the reasons stated above, the Southern Avoidance Realignment Alternative is not considered prudent.

Historic District Tunnel Avoidance

This avoidance alternative would involve construction of a tunnel about 4,500 feet in length that would begin at Real Road/State Route 58, cross under Stine Canal, and end about 750 feet south of Business Center Drive in the vicinity of California Avenue. This option would also require elevating Real Road by building a bridge over State Route 58. Similarly, a bridge would be constructed to elevate Stockdale Highway over State Route 58.

This avoidance alternative would not compromise the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need, result in unacceptable operational problems, cause any of the impacts listed in 23 CFR 774.17(3)(iii) even after reasonable mitigation, result in extraordinary operational or maintenance costs, or cause other unique problems or unusual factors but would have extraordinary impacts caused by a combination of safety issues, failure to meet the purpose and need (route continuity for trucks hauling hazardous material), and cost.

Tunnels provide an enclosed area where fires caused by accidents with vehicles hauling hazardous materials may result in unacceptable safety problems, within the meaning of 23 CFR 774.17(3)(ii). Consequently, such vehicles would be prohibited from using the tunnel during AM and PM peak hours. These vehicles, diverted to the local streets, would contribute to congestion. This avoidance alternative would therefore not meet the goal of route continuity as provided by the project’s purpose and need.

Moreover, the construction cost of the avoidance alternative, would result in costs of extraordinary magnitude and the alternative would therefore not be considered

prudent pursuant to 23 CFR 774.17(3)(iv). The Historic District Tunnel Alternative would increase the construction cost of Alternative A by \$700 million. The total cost of this avoidance alternative must also include the cost of avoiding the Kern River Parkway. For Alternative A, there are two avoidance alternatives for the Kern River Parkway: a tunnel alternative, which would cost an additional \$700 million, and a bridge alternative, which would cost an additional \$50 million. As a result, the total project costs for the tunnel avoidance alternative would be \$2.091 billion. Comparing the cost of the tunnel avoidance alternative (\$2.091 billion) to Alternatives B (\$570 million) and C (\$665.5 million), the cost increase is about 267 percent greater than the cost of Alternative B (more than triple the cost) or 214 percent greater than Alternative C (more than double the cost). If the bridge avoidance alternative is implemented, total cost would be \$1.441 billion, about 153 percent greater than the cost of Alternative B (more than double the cost) and 116 percent greater than Alternative C (more than double the cost).

As stated above, the combined cost of the other four Thomas Roads Improvement Program projects is \$156 million. The cost of this avoidance alternative would prevent construction of any other Thomas Roads Improvement Program projects. Additionally, the cost would exceed the budget available for the whole Centennial Corridor Project. Should either combination of these avoidance alternatives be selected, the Centennial Corridor could not be built.

Accordingly, this avoidance alternative is not prudent under 23 CFR 774.17(3)(vi), as it involves multiple factors in paragraphs (3)(i) through (3)(v) of that section.

6.4.1 Avoidance Alternatives for Saunders Park

Alternatives A and B are about 5,300 and 2,500 feet west, respectively, of Saunders Park; therefore, they would avoid this property and no impacts would result. Similarly, the No-Build Alternative would not affect this property because none of the proposed build alternatives would be constructed.

Alternative C

Three avoidance alternatives were considered for Alternative C: the West Avoidance Realignment, East Avoidance Realignment, and Construct State Route 58 in the Median of State Route 99 (see Figure 15).

West Avoidance Realignment

The West Avoidance Realignment Alternative would realign State Route 58 about 800 feet further to the west than Alternative C between California Avenue and Stockdale Highway (see Figure 15).

The proposed realignment would begin on State Route 58 about 750 feet west of the Hughes Lane bridge and begin curving to the north where it would cross over the westbound State Route 58 to northbound State Route 99 Direct Connector, the Oak Street –Wible Road/Stockdale Highway – Brundage Lane Intersection, State Route 99 about 400 feet to the south of Alternative C and the southbound State Route 99 to eastbound State Route 58 Direct Connector. The realignment would stay elevated with bridges over Bank Street and Palm Street, continuing north between Real Road and the western boundary of Saunders Park and bridge over Chester Lane before turning west. It would then bridge over Real Road and California Avenue before connecting back with the Alternative C alignment parallel to the BNSF railroad yard.

The proposed eastbound State Route 58 to southbound State Route 99 Direct Connector would branch off of the realignment at Chester Lane and need to be constructed above and bridge over the realigned State Route 58 and connect, north of Stockdale Highway, to the connector proposed in Alternative C. The direct connector bridge would be approximately 1.3 miles long. This direct connector ramp would require additional right of way between Stockdale Highway and Chester Lane, between the proposed State Route 58 alignment and State Route 99.

The West Avoidance Realignment alternative would isolate an existing environmental justice community (Census Tract 18.01, Block Group 1), leaving 53 residential units in the area bounded by the West Avoidance Realignment to the west, existing State Routes 99/58 to the east, California Avenue to the north, and Stockdale Highway to the south. In addition, this alternative would also include acquiring an additional 10 commercial properties within the same area. The West Avoidance Alternative would affect Census Tract 18.01, Block Group 1, which is a predominately non-white community. Approximately 66% of the residents in Census Tract 18.01, Block Group 1, are minorities as indicated in Table 3.11 in Volume 1 of the final environmental document prepared for this project. There is no ability to depress the freeway alignment to decrease the impact to this area. The West Avoidance Realignment Alternative would increase the required acquisitions compared to Alternative C by 10 commercial relocations and 171 residential relocations. As a

result of the potential impacts to an environmental justice neighborhood, this alternative may not be considered prudent pursuant to 23 CFR 774.17(3)(iii)(C).

This realignment is the best avoidance alternative with the least impacts to avoid direct use of Saunders Park property by adjusting the Alternative C build alignment to the west. Moving this avoidance alternative further to the west would affect the Lifehouse Parkview Healthcare Center, a nursing home west of Real Road with one hundred and eighty four beds. Moving even further to the west, there are seven properties located along Garnsey Avenue that could potentially be historic properties under the National Register of Historic Places. If these properties were impacted this variation would not avoid potential Section 4(f) properties. Moving the West Avoidance Realignment alternative even further to the west would result in Alternative B because it is the alignment that could avoid both the Rancho Vista Historic District and Centennial Park and meet the engineering alignment standards.

This avoidance alternative would not compromise the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need, result in unacceptable safety or operational problems, cause any of the impacts listed in 23 CFR 774.17(3)(iii) even after reasonable mitigation, result in extraordinary operational or maintenance costs, cause other unique problems or unusual factors, but would have extraordinary impacts caused by a combination of the isolation of Saunders Park, which serves an Environmental Justice minority community, and 52 residential properties between two freeways, the additional future cost of constructing freeway connectors between State Route 58 and State Route 99, and project cost.

The construction cost of the avoidance alternative, however, would result in costs of extraordinary magnitude and the alternative would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(iv). The avoidance alternative would increase the construction cost of Alternative C by \$121 million. As a result, the total project costs for this alternative would be \$787 million, which is about 14 percent greater than the cost of Alternative A, or 38 percent greater than the cost of Alternative B.

For the reasons stated above, the West Avoidance Realignment Alternative is not considered prudent.

East Avoidance Realignment Alternative

The East Avoidance Realignment Alternative would realign State Route 58 to the east of State Route 99 and two potential historic properties along Oakbank Road.

The proposed realignment would begin on State Route 58 about 230 feet east of the Hughes Lane bridge and begin curving to the north where it would bridge over the westbound State Route 58 to northbound State Route 99 Direct Connector, Brundage Lane/ Myrtle Street intersection, Verde Street, Bank Street, Palm Street and Oak Street. The realignment would then begin to turn west and bridge over the State Route 99/ California Avenue interchange; northbound State Route 99 off-ramp to California Avenue, northbound State Route 99 loop on-ramp from California Avenue, California Avenue, State Route 99, and the southbound State Route off-ramp to California Avenue before connecting back with Alternative C parallel to the Burlington Northern Santa Fe railroad yard. This alternative would require State Route 99 to be widened to the east between Palm Street and Brundage Lane, to accommodate the required changes to the northbound State Route 99 to westbound State route 58 Direct Connector.

The widening of State Route 99 would require the realignment of about 2,500 feet of Oak Street, the reconstruction of the westbound State Route 58 to northbound State Route 99 Direct Connector and the tunnel it travels through underneath the Oak Street – Wible Road/Stockdale Highway – Brundage Lane intersection. The realignment of Oak Street, which is a primary north-south arterial, serving area residents, would require the acquisition of the majority of the commercial development along Oak Street from Sunset Ave to Stockdale Highway – Brundage Lane. The East Avoidance Realignment Alternative would increase the required acquisitions compared to Alternative C by 43 commercial relocations and 84 residential relocations.

Under this avoidance alternative access to westbound State Route 58 would no longer be possible from the H Street on-ramp, because of the required change to the northbound State Route 99 to westbound State Route 58 Direct Connector ramp. This avoidance alternative requires the removal of the northbound State Route 99 Collector Distributor and the braiding of the westbound State Route 58 to northbound State Route 99 Direct Connector ramp with the northbound State Route 99 to westbound State Route 58 Direct Connector ramp. This loss of access would be in addition to the closures proposed for Alternative C, which already requires closure of the Stockdale Highway off-ramp from southbound State Route 99, southbound State Route 99 on-ramp from Real Road and the Wible Road local road connection ramps on northbound State Route 99. Therefore, the nearest full-service interchange on State Route 58 east of State Route 99 would be Union Avenue, one mile to the east along State Route 58. The next nearest would be Mohawk Street (proposed State Route 58, existing Westside Parkway) located 3.5 miles to the east of H Street. These closures

would cause motorists to seek alternative routes to access the shopping centers and businesses along Brundage Lane/Stockdale Highway, as well as access to downtown Bakersfield.

This realignment is the best avoidance alternative with the least impacts to avoid impacts to Saunders Park by adjusting the Alternative C build alignment to the east. Moving the East Avoidance Realignment alternative further to the east of its current proposed location is restricted by Caltrans interchange spacing requirements. In addition, a potential historic district may be located in an area bound by Park Way on the north, an irregular line running along several parcels east of Oak Street on the west, a line along portions of the north side of Chester Street on the south, and the east side of C Street on the east. As a result, potential Section 4(f) properties would not be avoided.

This avoidance alternative would not compromise the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need, result in unacceptable safety or operational problems, cause any of the impacts listed in 23 CFR 774.17(3)(iii) even after reasonable mitigation, result in extraordinary operational or maintenance costs, cause other unique problems or unusual factors, but would have extraordinary impacts caused by a combination of the isolation of potential historic properties and 51 residential properties between two freeways, loss of access to westbound State Route 58 from H Street on-ramp, and cost.

The construction cost of the avoidance alternative, however, would result in costs of extraordinary magnitude and the alternative would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(iv). The avoidance alternative would increase the construction cost of Alternative C by \$166 million. As a result, the total project costs for this alternative would be \$832 million, which is about 20 percent greater than the cost of Alternative A, or 46 percent greater than the cost of Alternative B.

For the reasons stated above, the East Avoidance Realignment Alternative is not considered prudent.

Construct State Route 58 in Median of State Route 99

This alternative would construct State Route 58 in the median of State Route 99 on an elevated structure for a portion of the alignment. It would also require State Route 99 to be widened to the outside to allow State Route 58 to pass below Palm Street. Moving this alternative to the west would result in the proposed Alternative C; movement to the east would result in the East Avoidance Realignment Alternative.

The widening of State Route 99 to accommodate State Route 58 in the median would require the reconstruction of the California Avenue/State Route 99 interchange and the replacement of the Bakersfield Union Pacific Railroad Yard/State Route 99 Bridge. This alternative would also restrict any future widening of State Route 58 without widening State Route 99, and any future widening of State Route 99 would impact Saunders Park, a Section 4(f) property. It should be noted the Caltrans Transportation Concept Report identifies the need for auxiliary lanes along State Route 99 which this avoidance alternative does not include. Should this alternative be built there would be no feasible and prudent alternative to avoid Saunders Park in the future.

In addition, constructing State Route 58 in the median of State Route 99 may not be feasible because of the need to maintain existing State Route 99 traffic through the construction area. The existing median is 22 feet wide and State Route 58 would require a minimum width of 140 feet.

The construction cost of the avoidance alternative, however, would result in costs of extraordinary magnitude and the alternative would therefore not be considered prudent pursuant to 23 CFR 774.17(3)(iv). The avoidance alternative would increase the construction cost of Alternative C by \$205 million. As a result, the total project costs for this alternative would be \$871 million, about 26 percent greater than the cost of Alternative A, or 53 percent greater than Alternative B.

For the reasons stated above, the Construct State Route 58 in Median of State Route 99 Alternative is not considered prudent.

7.0 Measures to Minimize Harm to the Section 4(f) Properties

The process of developing Alternatives A, B, and C for the Centennial Corridor project considered a wide range of engineering, feasibility, and environmental constraints, including Section 4(f) properties in the study area. Avoiding or minimizing the use of Section 4(f) properties was one of the key criteria during the alternatives development and refinement processes. Following is a discussion of specific measures to minimize harm for each protected Section 4(f) property.

7.1 Measures to Minimize Harm to the Kern River Parkway

The following mitigation measures would be incorporated to reduce impacts from Alternative A at the Kern River Parkway (mitigation measures are not required for

Alternatives B (Preferred Alternative) and C because these proposed alignments are some 2,500 feet northeast of the park):

- The bicycle path would be moved slightly north of the existing path; however, the connection points on the east and west sides of Alternative A would align with the existing bicycle path.
- The Hoey Trail would be moved slightly north of the existing trail. The connection points on the east and west sides of Alternative A would align with the existing Hoey Trail.
- The equestrian trail would be moved slightly south of the existing trail. The connection points on the east and west sides of Alternative A would align with the existing equestrian trail.
- Mature trees or those protected by ordinance and required to be removed within the Kern River Parkway would be replaced at a 1:1 ratio.
- Vegetation, including landscaping, removed along the Kern River Parkway would be replaced in kind or with suitable, similar vegetation. Coordination with applicable agencies with jurisdiction over these resources (California Department of Fish and Wildlife, United States Fish and Wildlife Service, and United States Army Corps of Engineers) and the procurement of applicable permits, if any, would be undertaken in advance of their removal.
- The park land proposed to be acquired and associated affected amenities would be replaced with those of equal value or utility if Alternative A was selected as the Preferred Alternative.

7.2 Measures to Minimize Harm to Saunders Park

Mitigation measures are not required for Alternatives A and B because these proposed alignments are about 5,300 and 2,500 feet, respectively, to the west of Saunders Park. Alternative C would result in the permanent removal of 3.27 acres (about 30 percent) of park land and would eliminate the existing basketball courts, roller hockey facility, splash/water play area, an equipment storage area, and two parking areas (58 parking spaces). Mitigation measures proposed for Alternative C at Saunders Park include the following:

- Conversion to parkland of the existing retention basin that is owned and operated by the city of Bakersfield located immediately north of Saunders Park. This retention basin, to be used for park land and associated amenities such as turf, playground, and soccer field, would be filled in with dirt, increasing the size of

Saunders Park by 4.22 acres. Right-of-way acquisitions associated with Alternative C would add 0.87 acre for park use immediately north of the retention basin where existing State Route 99 is to the east and Chester Lane is to the north. Total replacement would be 5.09 acres of parkland for Alternative C, a net gain of 1.82 acres of parkland (12.95 acres of new parkland minus 11.13 acres of existing parkland).

- Several existing park amenities would be relocated within the park: spray/water park facility; both basketball courts; several parking spaces; and the roller hockey facility. A draft conceptual design drawing (see Figure 16) depicts possible relocation areas within the park, assuming conversion of the retention basin and acquisition of additional land immediately north of the retention basin. This conceptual design is not final but shows the relocation of displaced existing park amenities and off-street parking. It should be noted, the conceptual plan would include 125 off-street parking spaces or a net increase of 67 spaces (125 spaces of new parking spaces minus 58 spaces of existing parking spaces). In addition, this conceptual design would provide additional amenities not currently available at the park such as a soccer field, disk golf tee and target, and entry plaza (see Figure 16). A new access point would be provided at Chester Lane. The existing access on Palm Street would be expanded to two driveways.
- Security lighting would be installed as needed, particularly in the parking areas, roller hockey facility, basketball courts, and park boundaries.
- Mature trees removed from the park would be replaced at a 2:1 ratio. Vegetation such as grass would be replaced in kind as the final design of the park requires.
- Removed irrigation piping would be replaced as appropriate based on the final design of the park.
- The retaining wall(s) forming the eastern boundary of the park adjacent to State Route 99 would be built of graffiti-discouraging materials such as rough surfaces that include, but are not limited to, concrete reliefs or textured concrete. Other anti-graffiti measures may include vegetation such as trees, shrubs, or vines.
- Sound walls about 12 feet high would be built on top of the retaining wall(s) to reduce noise impacts. Vines or other anti-graffiti measures would be employed to reduce graffiti and improve the aesthetics of the walls.



Figure 16 Concept Design Drawing of Saunders Park
Rearrangement under Alternative C

8.0 Coordination

A Section 4(f) evaluation requires documentation of the Section 106 process and consultation with the State Historic Preservation Officer. Prior to making Section 4(f) approvals under 23 Code of Federal Regulations 774.3(a), the Section 4(f) evaluation must be provided for coordination and comment to the official(s) with jurisdiction over the Section 4(f) property and to the Department of the Interior. A Section 4(f) evaluation prepared under 23 Code of Federal Regulations 774.3(a) must include sufficient supporting documentation to demonstrate why there is no feasible and prudent avoidance alternative, and it must summarize the results of all possible planning to minimize harm to the Section 4(f) property.

Caltrans consulted with the State Historic Preservation Officer on the Centennial Corridor Project and concurrence was reached that four historic properties were located within the Area of Potential Effects. To address adverse effects, Caltrans and the State Historic Preservation Officer signed a Memorandum of Agreement in January 2015 (see Appendix J, Volume 2).

In addition, formal consultation as stated in the Section 4(f) requirements was completed with the city of Bakersfield to establish the ownership and significance of potentially effected parklands, including the Kern River Parkway and associated trails and Saunders Park (see Attachment A). Meetings were held with a city of Bakersfield representative on January 17, 2012. Meetings were also held with Recreation and Parks personnel on January 26, 2012 and March 21, 2012. The city of Bakersfield, as the agency having jurisdiction over these properties, has provided documentation of agreement that the proposed measures to minimize harm to these parks has been undertaken to their satisfaction and are appropriate and would satisfy the requirements of 23 Code of Federal Regulations 774.13. With selection of Alternative B as the Preferred Alternative, no parklands are affected.

9.0 Description of Section 6(f) Properties

Section 6(f)(3) of the Land and Water Conservation Fund Act (16 United States Code §4601-4) contains provisions to protect federal investments in park and recreation properties and the quality of those assisted properties. The law recognizes the likelihood that changes in land use or development may make some properties that received federal funding obsolete over time, particularly in rapidly changing urban areas. At the same time, the law discourages casual discards of park and recreation facilities by ensuring that changes or conversions from recreation use will bear a

cost—a cost that assures taxpayers that investments in the park and recreation properties will not be squandered. The Land and Water Conservation Fund Act includes a clear mandate to protect grant-assisted areas from conversions:

SEC. 6(f)(3) – No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation use. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

This “anti-conversion” requirement applies to all parks and other sites that have been the subject of Land and Water Conservation Fund grants of any type, whether for acquisition of parkland, development, or rehabilitation of facilities.

When an application for Section 6(f) funding is submitted, a dated project boundary map showing the park area to be covered by Section 6(f)(3) anti-conversion protections is included. These maps do not have to be a formal survey document, but they must contain enough site-specific information to ensure that both the applicant (grantee) and the administering agency agree on the proper boundaries of the covered site at the time of project approval and that it provides the location, size indicators, and a picture of key facilities and landmarks to help later project inspectors better identify and evaluate the site.

A review of the Land and Water Conservation Fund grants database indicated that the city of Bakersfield received one grant for \$157,050 in 1988/1989 and a second grant of \$87,832 for the Kern River Parkway in 1989/1990. Upon consultation with city of Bakersfield officials, it has been determined that these grants were used to develop group picnic areas, open turf areas with irrigation and landscaping, and support facilities. City of Bakersfield Resolutions 43-89 and 32-90 contain Section 6(f)(3) project boundary maps indicating the area subject to Section 6(f) anti-conversion requirements. The project alternatives are from about 1,500 feet to over 1 mile from the area (now known as Yokuts Park) that is shown on the Section 6(f)(3) maps; therefore, it is not covered by anti-conversion requirements.

City of Bakersfield Water Resources Department records were also reviewed for information regarding Section 6(f) funding used for the Kern River Parkway. All

other funding related to development of the Kern River Parkway has resulted from voter-approved local proposition funding only and is not related to Section 6(f) funding; therefore, no park or recreational facilities within the project footprint have been developed under Section 6(f) of the Land and Water Conservation Fund Act.

10.0 Properties Evaluated Relative to the Requirements of Section 4(f)

This section of the document discusses parks, recreation facilities (including school playgrounds), wildlife refuges, and historic properties found within or adjacent to the project area that do not trigger Section 4(f) protection because: (1) they are not publicly owned; (2) they are not open to the public; (3) they are not National Register-eligible historic properties; (4) the project does not permanently use the property and does not hinder the preservation of the property; or (5) the proximity impacts do not result in substantial impairment.

As noted below, the analysis includes a discussion of each property and documents the following: (1) why the property is not protected by the provisions of Section 4(f) or (2) if it is protected by Section 4(f), why none of the alternatives under consideration cause a Section 4(f) use by

- (a) permanently incorporating land into the project (actual use)
- (b) temporarily occupying land (temporary occupancy) that is adverse to the preservationist purposes of Section 4(f), or
- (c) Causing substantial impairment to the property.

A total of 17 parks and/or recreation facilities and three historic properties were identified (see Table B.4 and Figure 17). As indicated below, none of the alternatives under consideration result in a Section 4(f) use of these parks, recreation facilities, wildlife refuges, or historic properties and would not result in any permanent, temporary, or indirect (proximity) impacts due to the project alternatives.

Table B.4 Park, Recreation Facilities, Wildlife Refuges, and Historic Properties Evaluated Relative to the Requirements of Section 4(f)

Site	Location	Distance to Nearest Alternative (feet)	Subject to the Provisions of Section 4(f)?	Permanent Use?	Temporary Occupancy?	Substantial impairment?
Park and Recreation Facilities						
Beach Park	City of Bakersfield	2,100	Yes	No	No	No
Belle Terrace Park	City of Bakersfield	2,600	Yes	No	No	No
Centennial Park	City of Bakersfield	75	Yes	No	No	No
Jastro Park	City of Bakersfield	2,600	Yes	No	No	No
Wayside Park	City of Bakersfield	2,000	Yes	No	No	No
Yokuts Park	City of Bakersfield	1,500	Yes	No	No	No
Curran Junior High School	City of Bakersfield	2,600	Yes	No	No	No
Evergreen Elementary School	City of Bakersfield	2,000	Yes	No	No	No
Fremont Elementary School	City of Bakersfield	2,000	Yes	No	No	No
Harris Elementary School	City of Bakersfield	500	Yes	No	No	No
McKinley Elementary School	City of Bakersfield	2,000	Yes	No	No	No
Munsey Elementary School	City of Bakersfield	1,400	Yes	No	No	No
Roosevelt Elementary School	City of Bakersfield	1,200	Yes	No	No	No
Sequoia Middle School	City of Bakersfield	1,700	Yes	No	No	No
Siebert Elementary School	City of Bakersfield	2,600	Yes	No	No	No
Van Horn Elementary School	City of Bakersfield	1,000	Yes	No	No	No
Vista Continuation High School	City of Bakersfield	1,800	Yes	No	No	No
Historic Properties						
Lester H. Houchin Residence	City of Bakersfield	58	Yes	No	No	No
Friant-Kern Canal	City of Bakersfield	0	Yes	No	No	No
Property at 3904 Marsha St.	City of Bakersfield	180	Yes	No	No	No

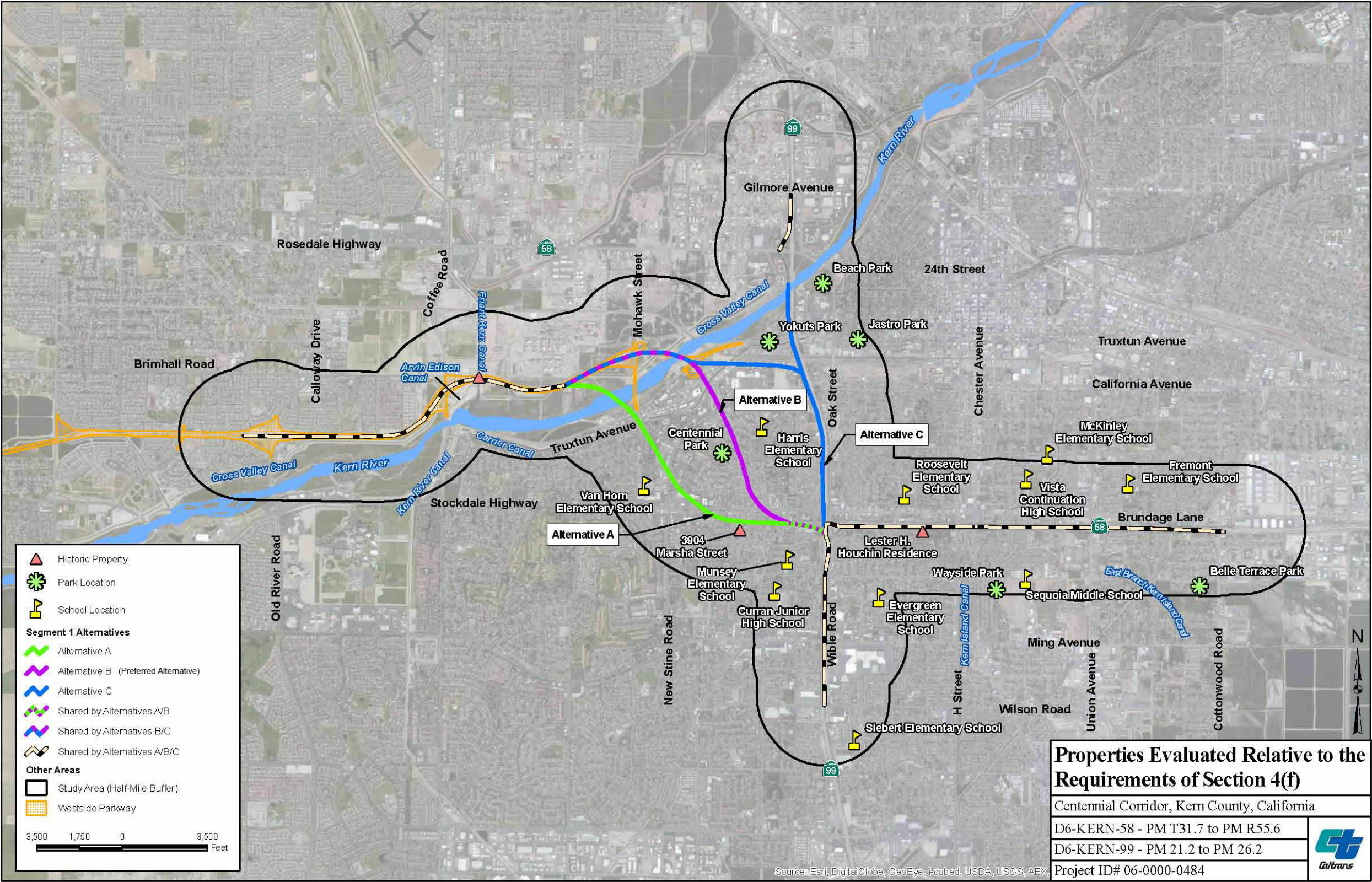


Figure 17 Location of Park, Recreation Facilities, Wildlife Refuges, and Historic Properties Evaluated Relative to the Requirements of Section 4(f)

10.1 Parks and Recreation Facilities

The potential for impacts to the 17 parks and/or recreation facilities were considered for all of the build alternatives. No permanent use of these properties would occur from any of the alternatives. Out of these 17 parks, Centennial Park is next to the Alternative B alignment; the remaining 16 are 0.25 to 0.5 mile from the closest alternative. The following subsections provide the descriptions and reasons that support a conclusion that these parks would not be adversely affected by the implementation of any build alternative. Thus Section 4(f) provisions are not triggered.

10.2 Beach Park

Beach Park is at the corner of Oak Street and 24th Street at 3400 21st Street. Beach Park is northeast of the project alternatives at the following distances: 2,000 feet from the Alternative C alignment, over 2,500 feet from the Alternative B alignment, and over one mile from Alternative A. As a result of these distances from each alternative, no direct or temporary use of this property would occur while building or maintaining any of the alternatives. Therefore, the provisions of Section 4(f) are not triggered.

Accessibility

The park could be accessed during project construction as well as when the project is operational.

Visual

The area south and southwest of Beach Park is built-up. Fencing, tall trees, and other buildings would block the views of Alternative C, the closest alternative alignment. Views of Alternatives A and B would be blocked by tall trees and other structures. As a result, none of the alternative alignments would substantially impair activities, features, and/or attributes that qualify Beach Park for protection under Section 4(f).

Noise

Similar to the reasons explained in subsection 5.2.2, activities at Beach Park would not be impaired by noise during both construction and operation of the new freeway.

Vegetation and Wildlife

The project biologist has reviewed the location of Beach Park and confirmed that due to the distance of the park from the proposed freeway alignments, no direct or indirect effect on biological resources in the park would occur from the construction and operation of the new freeway. Wildlife that lives in or uses the park could continue to do so during construction of the project and during operation of the project. As a result, none of the alternatives would

substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Air Quality

Similar to the reasons explained in subsection 5.2.2, activities at Beach Park would not be impaired by noise both during construction and operation of the new freeway.

Water Quality

Potential short-term water quality impacts associated with the construction phase of the Centennial Corridor Project would be minimized with the implementation of Construction Site Best Management Practices. Potential long-term water quality impacts associated with the operation and maintenance of the transportation facility would be minimized with the implementation of Treatment Best Management Practices. Preliminary engineering efforts have identified proposed Infiltration Device locations to address water quality impacts. Overall, with incorporation of Temporary and Permanent Best Management Practices, no water quality impacts are expected with implementation of the Centennial Corridor Project. Consequently, impacts to water quality as a result of the proposed project alternatives would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

10.2.1 Belle Terrace Park

Belle Terrace Park is on Belle Terrace between Madison Street and Cottonwood Road at 1000 East Belle Terrace. This park is directly south of the project alternatives and is over 2,600 feet from all of the alternative alignments. As a result, no direct or temporary use of this property would occur from any of the alternatives. Therefore, the provisions of Section 4(f) are not triggered.

Accessibility

The park could be accessed during project construction as well as when the project is operational.

Visual

All three alternatives are north of Belle Terrace Park. The views from the northern end of Belle Terrace Park are of single-story residential housing. Existing State Route 58 is not visible from Belle Terrace Park. Since the proposed project would only widen State Route 58 in this vicinity, the proposed project alternatives would not be visible from Belle Terrace Park; therefore, none of the alternative alignments would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Noise

For reasons similar to those explained in subsection 5.2.2, activities at Belle Terrace Park would not be impaired by noise both during construction and operation of the new freeway.

Vegetation and Wildlife

The project biologist has reviewed the location of Belle Terrace Park and confirmed that due to the distance of the park from the proposed freeway alignments, no direct or indirect effect on biological resources in the park would occur from the construction and operation of the new freeway. Wildlife that lives in or uses the park could continue to do so during project construction and operation. As a result, none of the alternatives would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Air Quality

Similar to the reasons explained in subsection 5.2.2, activities at Belle Terrace Park would not be impaired by air pollutant emissions both during construction and operation of the new freeway.

Water Quality

Potential short-term water quality impacts associated with the construction phase of the Centennial Corridor Project would be minimized with the implementation of Construction Site Best Management Practices. Potential long-term water quality impacts associated with the operation and maintenance of the transportation facility would be minimized with the implementation of Treatment Best Management Practices. Preliminary engineering efforts have identified proposed Infiltration Device locations to address water quality impacts. Overall, with incorporation of Temporary and Permanent Best Management Practices, no water quality impacts are expected with implementation of the Centennial Corridor Project. Consequently, impacts to water quality as a result of the proposed project alternatives would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

10.2.2 Centennial Park

Centennial Park is an 11-acre neighborhood park within the Westpark neighborhood, about 75 feet from the Alternative B alignment and over 1,300 feet from the Alternative A and C alignments (see Figure 17). The park is owned and operated by the city of Bakersfield Recreation and Parks Department. Park amenities include picnic areas, baseball backstops, basketball courts, softball fields, volleyball courts, leash-free dog areas, and restrooms.

Accessibility

Pedestrian and vehicular access is available from neighborhood streets, including Marella Way and Montclair Street (see Figure 18). Off-street parking is also available within two surface parking lots along Marella Way and Fallbrook Street.

The Alternative B construction would maintain local access to the park (see Figure 19). Area residents would continue to have options to access the park via the following remaining roadways: Marella Way, Montclair Street, Fallbrook Street, and La Mirada Drive. The option for removing the La Mirada Drive overcrossing from Alternative B was also considered and later dismissed. Removal of the overcrossing would not have substantially changed access, which would be provided by the Marella Way overcrossing, but would have eliminated the need to displace 13 single family homes on La Mirada Drive near Centennial Park and would have saved about \$2.5 million in construction costs. Additionally, the elimination of Hillsborough Drive and Kentfield Drive would not impair local access to the park because the remaining residents would continue to have access via Fallbrook Street. However, after circulating the draft environmental document, and receiving public comments, Caltrans has decided to construct all proposed crossings including the proposed La Mirada Drive overcrossing. In addition, the Preferred Alternative would construct a sidewalk within the project right-of-way from Joseph Drive to La Mirada Drive, which would link two portions of Westpark that currently have no direct access to each other. These improvements would allow for a greater number of residents to use non-motorized modes of travel to access Centennial Park.

Visual

The Westpark neighborhood is highly urbanized and available views are limited due to existing buildings. Most views include streetscapes and associated residential landscaping such as turf, shrubs, and trees. Centennial Park is only one of two green-space areas within the neighborhood. Views from the park are of the nearby single-family residences and local roadways partially obstructed by mature landscape trees. Views of the park from off-site areas are similarly obstructed depending on the viewer’s location.



Figure 18 Existing Centennial Park Accessibility

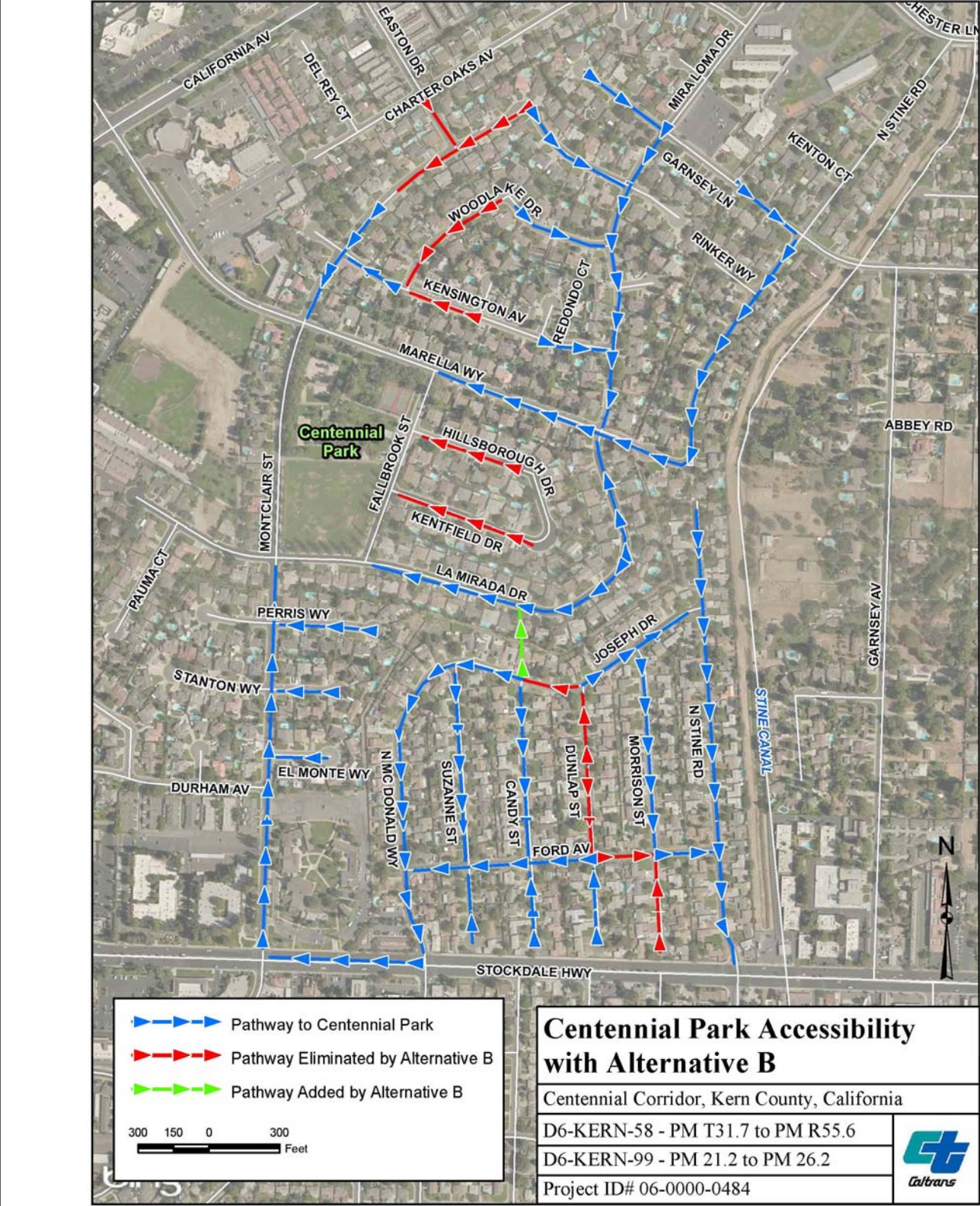


Figure 19 Centennial Park Accessibility with Alternative B

Alternative B includes building a freeway overcrossing at Marella Way and Fallbrook Street near the northeast corner of the park. Although the overcrossing would be visible to park users, existing mature Chinese elm trees along Marella Way would help screen the overcrossing. Planting vines or other visually pleasing context-sensitive features such as stained concrete would also enhance the view of the overcrossing by park users. Therefore, the overall reduction in visual quality of the park would not substantially impair the activities, features, and/or attributes that qualify Centennial Park for protection under Section 4(f).

Noise

The analysis in this section is based on conclusions from the *Noise Study Report* (March 2014) prepared for this project. Centennial Park is bound by Marella Way to the north, Fallbrook Street to the east, La Mirada Drive to the south and Montclair Street to the west. Alternative B would result in a new freeway alignment across Marella Way just east of Fallbrook Street to the northwest. The Alternative B alignment has been designed within this general area to be depressed to minimize noise impacts associated with the new freeway. Centennial Park would be located immediately adjacent to the Alternative B alignment, which would result in an increase in noise levels. Although a new freeway will be constructed near this park, serenity and solitude are not attributes of Centennial Park. Centennial Park is located in an urban setting surrounded by residential housing, local arterial roadways and active sport areas. Centennial Park offers basketball courts, tennis courts, volleyball courts, soccer fields, as well as other typical urban park attributes such as leash-free dog areas and a children’s playground.

A noise measurement in the northeast corner of Centennial Park recorded an ambient noise level of 53 dBA. The future predicted traffic noise modeling results for this location indicate an increase in noise levels of 15 dBA over pre-project conditions. A noise level of 68 dBA exceeds the 67-dBA minimum for considering noise abatement. An 8- to 12-foot-high sound wall was considered on the south side of the proposed Centennial freeway between Marella Way and La Mirada Drive to provide traffic noise abatement for the park and several residences. This sound wall is not considered reasonable under Caltrans noise abatement guidance since the wall would not provide a 7-dBA noise reduction for at least one receiver, the requirement to meet the sound wall design goal. However, this sound wall is still recommended due to special circumstances to close the 900-foot gap that would exist between the proposed sound walls S519 and sound wall S537. This gap closure would ensure an unbroken

sound wall is built to benefit the frequent outdoor use areas of the park, thereby minimizing traffic noise impacts.

Based on the reasons stated above, building Alternative B, the Preferred Alternative, would not substantially impair the activities, features, and/or attributes that qualify Centennial Park for protection under Section 4(f).

Vegetation and Wildlife

Alternative B does not affect threatened or endangered species in Centennial Park. Vegetation within the park is comprised of non-native shrub and tree species such as Chinese elm. Wildlife using the park are limited to species such as European starlings, opossum, and raccoons adapted to urban environments. No kit fox were observed at Centennial Park. In addition, project design incorporates features to maintain kit fox movement interrupted or prohibited by traffic. Building Alternative B would not require the removal of park landscaping that may be used by some species for foraging, nesting, and shelter. In addition, no impacts to animals using the park would be expected because these species are accustomed to the presence of humans and associated environments such as noise, light, and traffic); therefore, building Alternative B would not substantially impair the activities, features, and/or attributes that qualify Centennial Park for protection under Section 4(f).

Air Quality

The *Air Quality Study Report* (February 2014) and Section 3.2.6 of the final environmental document concluded that, in the long term, Alternative B would not contribute substantially to, or cause deterioration of, air quality in the immediate project area or in the region. In addition, during project construction activities, measures such as best available control and standard control measures as required by Caltrans and the San Joaquin Valley Air Pollution Control District would be used to reduce exhaust and fugitive dust emissions generated by construction equipment and activities. Therefore, short-term and long-term air quality impacts associated with Alternative B would not substantially impair the activities, features, and/or attributes that qualify Centennial Park for protection under Section 4(f).

Water Quality

The discussion and analysis in this section is based on the *Water Quality Assessment Report* (March 2014) prepared for this project and Section 3.2.2 of the final environmental document. Build Alternative B has the potential to affect water quality. Potential pollutant sources associated with the construction phase of this alternative

include construction activities and materials expected at the project site such as vehicle fluids; concrete and masonry products; landscaping and other products; and contaminated soils. Similarly, operation of this alternative has the potential to affect water quality.

Potential pollutant sources associated with the operation of this alternative include motor vehicles, highway maintenance, illegal dumping, spills, and landscaping care. However, with minimization measures, short-term and long-term water quality impacts with Alternative B would not substantially impair the activities, features, and/or attributes that qualify Centennial Park for protection under Section 4(f).

In conclusion, based on the analysis above, it was determined that building Alternative B would not substantially impair the activities, features, and/or attributes that qualify the park or recreation facilities identified for analysis. Specifically, this alternative would not result in a direct use; would not result in a temporary use during the construction period; would not have temporary effects on; would not result in changes to ownership; and would not restrict public vehicular access to these parks and recreation facilities during construction or operation. Therefore, Preferred Alternative B would not result in “use” of any of these parks or recreation facilities and the provisions of Section 4(f) are not triggered.

10.2.3 Jastro Park

Jastro Park is located between Truxtun Avenue and 18th Street, just east of Oak Street at 2900 Truxtun Avenue. Jastro Park is within one-half mile of Alternative C and over one mile away from the Alternatives A and B alignments. As a result, no direct or temporary use of this property would occur from any of the alternatives. Therefore, the provisions of Section 4(f) are not triggered.

Accessibility

The park could be accessed during project construction as well as when the project is operational.

Visual

Jastro Park is east of the nearest project alternative. The views from Jastro Park toward Alternative C (the nearest alternative) are partially blocked by vegetation planted along the park borders. Tall trees in the front yards of residences along Elm Street completely block the views of Alternative C. Alternatives A and B are farther away from Jastro Park than Alternative C. These same residential trees block the views of these alternatives as well. As a result, none of the alternatives would

substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Noise

Similar to the reasons explained in Subsection 5.2.2, the activities at Jastro Park would not be impaired by noise both during construction and operation of the new freeway.

Vegetation and Wildlife

The project biologist has reviewed the Jastro Park location and confirmed that with the distance to the park from the proposed freeway alignments, no direct or indirect effect on biological resources in the park would occur from the construction and operation of the new freeway. Wildlife that lives in or uses the park could continue to do so during project construction and operation. As a result, none of the alternatives would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Air Quality

Similar to the reasons explained in Subsection 5.2.2, the activities at Jastro Park would not be impaired by air pollutant emissions during construction and operation of the new freeway.

Water Quality

Potential short-term water quality impacts associated with the construction phase of the Centennial Corridor Project would be minimized with the implementation of Construction Site Best Management Practices. Potential long-term water quality impacts associated with the operation and maintenance of the transportation facility would be minimized with the implementation of Treatment Best Management Practices. Preliminary engineering efforts have identified proposed Infiltration Device locations to address water quality impacts. Overall, with incorporation of Temporary and Permanent Best Management Practices, no water quality impacts are expected with implementation of the Centennial Corridor Project. Consequently, impacts to water quality as a result of the proposed project alternatives would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

10.2.4 Wayside Park

Wayside Park is on the corner of Ming Avenue and El Toro Drive at 1200 Ming Avenue. The park is directly south of the project alignment and is over 2,000 feet

from all three alternatives alignments. As a result, no direct or temporary use of this property would occur from any of the alternatives.

Accessibility

The park could be accessed during project construction as well as when the project is operational.

Visual

All three alternatives are north of Wayside Park. Views from the northern end of Wayside Park are of single-story residential housing. Existing State Route 58 is not visible from Wayside Park. Since the proposed project would only widen State Route 58 in this vicinity, the proposed project alternatives would not be visible from Wayside Park; therefore, none of the Alternatives would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Noise

Similar to the reasons explained in Subsection 5.2.2, the activities at Wayside Park would not be impaired by noise both during construction and operation of the new freeway.

Vegetation and Wildlife

The project biologist has reviewed the Wayside Park location and confirmed that with the distance of the park from the proposed freeway alignments, no direct or indirect effect on biological resources in the park would occur from the construction and operation of the new freeway. Wildlife that lives in or uses the park could continue to do so during project construction and operation. As a result, none of the alternatives would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Air Quality

Similar to the reasons explained in Subsection 5.2.2, the activities at Wayside Park would not be impaired by air pollutant emissions both during construction and operation of the new freeway.

Water Quality

Potential short-term water quality impacts associated with the construction phase of the Centennial Corridor Project would be minimized with the implementation of Construction Site Best Management Practices. Potential long-term water quality

impacts associated with the operation and maintenance of the transportation facility would be minimized with the implementation of Treatment Best Management Practices. Preliminary engineering efforts have identified proposed Infiltration Device locations to address water quality impacts. Overall, with incorporation of Temporary and Permanent Best Management Practices, no water quality impacts are expected with implementation of the Centennial Corridor Project. Consequently, impacts to water quality as a result of the proposed project alternatives would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

10.2.5 Yokuts Park

Yokuts Park is just off Empire Drive north of the Truxtun Avenue extension at 4200 Empire Drive. The park is over 1,500 feet from the Alternative C alignment, over 0.5 mile from the Alternative B alignment, and over 1 mile from the Alternative A alignment. As a result, no direct or temporary use of this property would occur from any of the alternatives. Therefore, the provisions of Section 4(f) are not triggered.

Accessibility

The park could be accessed during project construction as well as when the project is operational.

Visual

Yokuts Park sits in a depression compared to the surrounding built-up area. Thick vegetation blocks views along the Kern River toward the Union Pacific railroad bridge and toward the Westside Parkway Bridge. None of the project alternatives would be visible from the park; therefore, none of the alternatives would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Noise

Similar to the reasons explained in Subsection 5.2.2, activities at Yokuts Park would not be impaired by noise during construction or operation of the new freeway.

Vegetation and Wildlife

The project biologist has reviewed the Yokuts Park location and confirmed that due to the distance of the park from the proposed freeway alignments, no direct or indirect effect on biological resources in the park would occur from the construction and operation of the new freeway. Wildlife that lives in or uses the park could continue to do so during project construction and project operation. As a result, none of the

alternatives would substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

Air Quality

Similar to the reasons explained in Subsection 5.2.2, activities at Yokuts Park would not be impaired by air pollutant emissions during construction or operation of the new freeway.

Water Quality

Potential short-term water quality impacts associated with the construction phase of the Centennial Corridor Project would be minimized with the implementation of Construction Site Best Management Practices. Potential long-term water quality impacts associated with the operation and maintenance of the transportation facility would be minimized with the implementation of Treatment Best Management Practices. Preliminary engineering efforts have identified proposed Infiltration Device locations to address water quality impacts. Overall, with incorporation of Temporary and Permanent Best Management Practices, no water quality impacts are expected with implementation of the Centennial Corridor Project. Consequently, impacts to water quality as a result of the proposed project alternatives would not substantially impair the activities, features, and/or attributes that qualify the park for protection under Section 4(f).

10.2.6 Public School Recreational Areas

The following are publically owned schools within the study area that have recreational areas open to the public for after school use:

- Curran Junior High School
- Evergreen Elementary School
- Fremont Elementary School
- Harris Elementary School
- McKinley Elementary School
- Munsey Elementary School
- Roosevelt Elementary School
- Sequoia Middle School
- Siebert Elementary School
- Van Horn Elementary School
- Vista Continuation High School

The closest school to any project alignment is Harris Elementary School. Harris Elementary School is about 500 feet from the Alternative B alignment, 800 feet from the Alternative C alignment, and 1,500 feet from the Alternative A alignment. The remaining schools are between 1,000 feet to 1 mile from the alternative alignments. As a result, no direct or temporary use of these properties would occur from any of the alternatives. Therefore, the provisions of Section 4(f) are not triggered.

Accessibility

The Harris Elementary School playground could be accessed during project construction as well as when the project is operational.

Visual

Harris Elementary School is between Alternatives B and C. The school is also in a built-up area. Trees grow along the school property line to obscure views of structures next to the school. The area around the running track has clear views of the surrounding residential and multi-story structures. The trees and structures would block the views of Alternatives B and C. These same structures would block the view of Alternative A farther to the west. As a result, none of the alternatives would substantially impair the activities, features, and/or attributes that qualify the school for protection under Section 4(f).

The remaining schools are in similar settings: surrounded by single and multi-story structures with trees along the property lines that limit views from a few feet to a few hundred feet. As a result, none of the alternatives would substantially impair the activities, features, and/or attributes that qualify the schools for protection under Section 4(f).

Noise

Similar to the reasons explained in Subsection 5.2.2, the activities at these school playgrounds would not be impaired by noise both during construction and operation of the new freeway.

Vegetation and Wildlife

The project biologist has reviewed the location of all schools within 0.25 and 0.5 mile of the project alignments and confirmed that due to the distance of the schools from the proposed freeway alignments, no direct or indirect effect on biological resources in the school playgrounds would occur from the construction and operation of the new freeway. As a result, none of the alternatives would substantially impair the

activities, features, and/or attributes that qualify the school playgrounds for protection under Section 4(f).

Air Quality

Similar to the reasons explained in Subsection 5.2.2, the activities at these school playgrounds would not be impaired by air pollutant emissions both during construction and operation of the new freeway.

Water Quality

Potential short-term water quality impacts associated with the construction phase of the Centennial Corridor Project would be minimized with the implementation of Construction Site Best Management Practices. Potential long-term water quality impacts associated with the operation and maintenance of the transportation facility would be minimized with the implementation of Treatment Best Management Practices. Preliminary engineering efforts have identified proposed Infiltration Device locations to address water quality impacts. Overall, with incorporation of Temporary and Permanent Best Management Practices, no water quality impacts are expected with implementation of the Centennial Corridor Project. Consequently, impacts to water quality as a result of the proposed project alternatives would not substantially impair the activities, features, and/or attributes that qualify the Harris Elementary School playground for protection under Section 4(f).

10.3 Historic Properties

In accordance with Federal Highway Administration regulations and guidance, the requirements for protection of cultural resources under Section 4(f) are triggered only by significant historic properties, defined as sites on or eligible for listing on the National Register of Historic Places, or sites otherwise determined significant by the Federal Highway Administration Administrator (23 CFR 771.135[e]).

Four properties were determined to be eligible for the National Register of Historic Places within the Area of Potential Effects for the Centennial Corridor project. These properties were evaluated for Section 4(f) protection. One property triggered protection under Section 4(f). This property is discussed in Section 3.3.1, Rancho Vista Historic District. The other three properties (discussed below) did not trigger the requirements for protection under Section 4(f).

10.3.1 Friant-Kern Canal

The Friant-Kern Canal is a 152-mile-long gravity-fed earth- and concrete-lined canal that terminates at the Kern River northwest of Bakersfield. As a key component of California’s Central Valley Project, the canal has been determined eligible for listing in the National Register of Historic Places. It is historically significant at the state level under Criterion A within the context of development, construction, and operation of the Central Valley Project. The period of significance is 1945 to 1951, its period of construction.

The Alternative A alignment would follow the recently built Westside Parkway that crosses the Friant-Kern Canal (see Photo 4—Existing View). Alternative A would provide an additional bridge crossing the Friant-Kern Canal for the eastbound Coffee Road on-ramp connector, in addition to the Westside Parkway, which has already been constructed at this location (see Photo 4—Simulated Future View). As proposed, this project feature will have no adverse effect on the historically significant canal. The architectural design of the new bridge will be similar in character to another recently constructed bridge structure over the Friant-Kern Canal, for the Westside Parkway project, for which the State Historic Preservation Officer concurred there was no adverse effect. While the Project would add a second bridge over the canal, in the context of it being a 152-mile long linear feature, there would be no direct or indirect adverse and no cumulative effect due to the length of the property. Further, the footings and abutments of the new bridge will be located outside of the National Register boundaries of the historic canal. The short bridge crossings over the canal do not diminish the historic character nor significant qualities that qualify the Friant-Kern Canal for National Register eligibility.

Therefore, Alternative A would cause no direct or indirect adverse effects to the Friant-Kern Canal. Section 4(f) provisions are not triggered by Alternative A under 36 CFR 800.5(a)(2)(i), (ii), (iii), (iv), or (v).

The Alternative B and Alternative C alignments would follow the recently built Westside Parkway that crosses the Friant-Kern Canal. Both alternatives would not require new construction over the Friant-Kern Canal or the Westside Parkway. The view of the Friant-Kern Canal will be the same as that shown in Photo 4—Existing View. Therefore, there would be no effect under Section 106 and no use of this Section 4(f) historic property.



Existing View



Simulated View with Alternative A Alignment

Photo 4. Friant-Kern Canal looking north toward the recently constructed Westside Parkway

10.3.2 Lester H. Houchin Residence

The Lester H. Houchin residence and associated detached garage, 307 South Oleander in Bakersfield (see Photo 5—Existing View), is eligible for listing in the National Register of Historic Places at the local level under Criterion C (historically important architecture) as an important local example of Colonial Revival architecture. The period of significance is 1939, the date of construction. The historic property boundary is defined by the legal parcel.

Contributing elements include the residence, two-story garage, circular driveway, and landscaping on the north, south, and east sides of the residence and garage. The pool, cabana, veranda, and other hardscape west of the residence and garage are noncontributing elements. Character-defining features include the near rectangular footprint, hip roof with flat deck, rounded portico entrance with paneled door and multi-light transom, multi-pane double-hung windows, a near symmetrical façade, stucco siding, brick veneer, elaborate detailed molding, bay windows with flared hip roofs, wood shutters, special relationships with the surrounding features on the property (circular driveway, secondary driveway leading to the garage, garage setback), open lawns, and mature trees and bushes to the side and rear of the house.

The alignment of all build alternatives would follow the existing State Route 58 located approximately 56 feet from the northern edge of this historic property’s boundary and about 150 feet from the elevation on the north side of the residence. None of the alternatives would encroach into the Lester H. Houchin residential property boundaries, nor cause a change in the physical setting of the resource that would compromise the characteristics or features that qualify the resource for the National Register. Under this alternative a retaining wall and sound wall will be constructed near this historic property. The retaining wall would rise 25 feet from the base of the existing depressed freeway (State Route 58). The top of the retaining wall would be at the same level as Brite Street. The 8-foot-tall sound wall would be built atop the retaining wall along the north side of Brite Street. All proposed construction activities would be conducted within the state right-of-way; therefore, there would be no direct effects to this historic property. The sound wall, as well as construction activity, would be shielded by the existing mature and dense landscaping located along the north side of the property except for a small part at the end of Oleander Street, as shown in Photo 5—Simulated Future View with all build alternatives. No indirect adverse effects to this historic property would be expected from the introduction of new visual elements, which would be barely discernible. In addition, no adverse noise or vibration effects to this historic property would be expected.



Existing View



Simulated View with all Build Alternatives

Photo 5. Lester H. Houchin residence from Oleander Street looking north toward State Route 58 (depressed freeway)

There would be no impacts to this historic property under 36 CFR 800.5(a)(2)(i), (ii), (iii), (iv), or (v) from the construction of Alternatives A, B, or C. No indirect adverse effects to this historic property from the introduction of new visual elements are anticipated. Also, no noise or vibration from either construction or operation of any of the alternatives is anticipated to affect this historic property. Therefore, the provisions of Section 4(f) are not triggered.

10.3.3 3904 Marsha Street Property

The property at 3904 Marsha Street, Bakersfield, California is a one-story residence located in the Rancho Vista Historic District (see Photo 6). The house was built in 1956, and the garage was probably built at the same time. The house also has a fallout shelter that was constructed in circa 1960-62. While this property is a contributor to the Rancho Vista Historic District, this property is also individually eligible for the National Register of Historic Places under Criterion A (historically important events) for its association with Cold War tension between the United States and the Soviet Union, and the fear of nuclear war between the two countries. The fallout shelter at the rear of the property conveys in a stark and visceral manner the grim mindset of the time, and the lengths to which people were willing to go to survive a nuclear holocaust. Home fallout shelters provide the physical evidence that people did make such considerations, and that they calculated the probability of nuclear war in a way that justified the expense of building an underground shelter.

There would be no impacts to this historic property under 36 CFR 800.5(a)(2)(I), (ii), (iii), (iv), or (v) from the construction of Alternatives A, B, or C. The residence is located 180 feet, 1,200, and over 2,300 feet away from the southern construction limits of Alternative A, B, and C, respectively, and cannot be visualized in the simulated view of Photo 6. Therefore, none of the proposed alternatives would cause any direct or indirect adverse effects to the character-defining features of the historic property which cause it to be individually eligible, namely the entry hatch and ventilation pipe of the fallout bomb shelter above ground, and the shelter itself buried underground in the rear yard. There would be no use under Section 4(f).

No sound walls are proposed in the vicinity of this property under any of the alternatives, and all construction activity would be shielded by the landscaping along the north side of this property. There would be no anticipated indirect adverse effects to this historic property from the introduction of new visual elements. Also, it is anticipated no noise or vibration from either construction or operation of any of the alternatives would affect this historic property. Therefore, the provisions of Section 4(f) are not triggered.



Photo 6. 3904 Marsha Street residence taken from Marsha Street looking north-northeast toward the new freeway alignment (Alternatives A, B, and C).

11.0 Conclusion

Based upon the above considerations, this evaluation determined that the proposed action represented by Alternative B, the Preferred Alternative, will not have any direct or constructive use of resources afforded protection under Section 4(f) of the Department of Transportation Act of 1966. This evaluation also determined that implementation of Alternatives A and C would have resulted in a direct use of a Section 4(f) protected property, the Rancho Vista Historic District and Saunders Park, respectively.

12.0 List of Preparers

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ATTACHMENT A: KERN RIVER PARKWAY MEMORANDUM



MEMORANDUM

Project: Bakersfield TRIP – Centennial Corridor, 24th Street and Hageman Road Flyover Projects
Subject: Kern River Parkway Acreage Estimates and Section 6(f) Funding
Prepared by: David Clark; Gary Petersen
Date: May 1, 2012

The purpose of this Memorandum is to review several sources of information that have led to differing estimates of the acreage associated with the Kern River Parkway and to recommend an appropriate accounting of its acreage and location, for purposes of the Centennial Corridor, 24th Street and Hageman Flyover Section 4(f) Evaluations and their associated analysis. The purpose of this memo is also to document Section 6(f) funding, which automatically triggers consultation on “anti-conversion”. Caltrans intends to informally consult with State Parks to close out any potential Section 6(f) as an issue. The Department of the Interior requires Section 6(f) close-out as part of its Section 4(f) review.

The following sources of information are reviewed:

- a. Planning Level Documents:
 - a. Kern River Plan Element (July 1985; Updated – August 2007)
 - b. Kern River Parkway Foundation website
 - c. City of Bakersfield General Plan Update, Section 4.12 Parks and Recreation (June 2002)
 - d. County of Kern Parks & Recreation Master Plan (May 2010)
 - e. Metropolitan Bakersfield General Plan Update – Draft Existing Conditions, Constraints and Opportunities Report; Section 2.4: Parks and Open Space Element (April 2009)
- b. Environmental Documents:
 - a. Final Route 58 Route Adoption Project Tier I Environmental Impact Statement/Environmental Impact Report (May 2001)
 - b. Westside Parkway Tier 2 Environmental Assessment/Final Environmental Impact Report (January 2007)
- c. GIS Based Estimate:
 - a. City of Bakersfield Geographic Information Systems (GIS): Property Ownership/ Kern River Plan Element Land Uses/Kern River Parkway Boundary and Trail Map

I. PLANNING LEVEL DOCUMENTS

Kern River Plan Element (1985)

The Kern River Plan Element is an integral part of the City of Bakersfield General Plan and the Kern County General Plan that was initially prepared in 1985 and updated in 2007. The Kern River Plan was proposed as a General Plan Element to both the City and County General Plans. The Plan included the primary and secondary floodways of the Kern River which comprises an estimated 14,250 acres. **Exhibit 1** shows the Kern River Plan extended from the mouth of the Kern River, approximately 5.5 miles east of Ming Lake, and to the crossing of I-5 and Kern River, for a total estimated length of 35 miles. Areas under the jurisdiction of both the City of Bakersfield and County of Kern are included in the Plan. No other jurisdiction is referenced.

The Kern River Plan Element addresses major issues facing the development of the Kern River. These issues include access, open space and development, riparian vegetation and wildlife habitat, flood plain management, private property and public use, mineral and petroleum. Goals and policies are provided for each of the aforementioned issues facing the Kern River. In addition, the underlying land use designations include non-jurisdictional lands (state and federal lands), physical constraint (seismic and flood hazard), public facilities (such as public and private recreation areas), residential development of varying housing densities, commercial, industrial, and resource management (agriculture, mineral and petroleum, and resource management). In view of Section 4(f) public facilities are basic physical structures and infrastructure which are provided for public service and support. Included in this land use designation is Parks and Recreation Areas (Map Code 3.1) which delineates public and private recreation facilities, campground or park areas.

The Kern River Plan references, in the Environmental Setting section, under the heading “Parks and Recreation”, Kern River Park (a County facility) and non-structured uses occurring along the length of the river (e.g., rafting, hiking, riding, off road vehicle use, passive study, sight-seeing and bicycling). This section describes the Kern River Park as the largest park in the plan area. The Kern River Park “consists of Hart memorial Park, a campground, picnic areas, Lake Ming, Kern River-Foss Golf Course, and the California Living Museum (CALM). There is no reference to the Kern River Parkway in this section of the Plan. However, the Kern River Plan provides the basis for the development of the Kern River Parkway Master Plan discussed in the next section.

In Section 2.3 – History of Planning in the Kern River Area, it is stated that the focus of the Kern River Plan, from the outset, was the preservation and maintenance of the floodway channel of the Kern River.

In Section 2.6 – General Qualifications and Provisions, it is stated that “the relationship between Kern River Plan designations and City of Bakersfield zone district designations are approximations only correlation between the Kern River Plan land use designations and City zoning intensities and permitted uses are approximate and consistent in the City with existing zone districts.”

In Section 4.11 – Recreation, a number of contemplated recreational uses are identified as proposed within the Kern River Plan area, including bikeway, foot access, fishing, nature study, photography, hiking and equestrian trails, etc., but no reference to the Kern River Parkway is mentioned.

Multi-sheet mapping of the Kern River Plan area is provided as an Appendix, but no reference to the Kern River Parkway is shown. Section 4.4-1 Parks and recreation Area (Map Code 3.1) delineates public and private recreation facilities, campground, or park areas. In addition, the Kern River Plan (Sheet 5 Golden State to Calloway Road) clearly shows the proposed future freeway alignment known at that time as the future State Highway 178 but later became known as Westside Parkway. Exhibit 2 is provided showing the land use designations and Map Codes for areas between Mohawk Street, the Truxtun Extension, and State Route 99. Within this area land use designations include Resource Management (8.5), General Commercial (6.2), Public Facilities/ Parks and Recreation and Other Facilities (3.1), and Flood Hazards (2.5).

Finding: Based on the above information, the Kern River Plan provides overall planning guidance for the Kern River, functioning primarily as a floodway and secondarily for other purposes (including recreation). The Kern River Plan Element formed the basis for the later development of the Kern River Parkway Plan (June 1988). The Kern River Plan Element, at that time, did not quantify acreages of any of the later components of the Kern River Parkway which developed later over the years.

Kern River Parkway Final Environmental Impact Report (September 1988)

The City of Bakersfield approved the Final EIR for the Kern River Parkway and Final Master Plan that would allow the continuation of the Parkway’s current flood control and water conservation uses but also represented the City’s long term vision of the Kern River within the City limits. The Kern River Parkway is described in the Final EIR as almost 8 miles in length and ranges from 30 to 2, 200 feet in width and comprises an estimated 1,400 acres between Manor Street on the east and the Stockdale Highway on the west. No changes were anticipated in the primary floodway but some changes within the secondary floodway were proposed with some changes outside the secondary floodway. The City Bakersfield City Council Resolutions 228-88 and 229-88 (dated November 30, 1988) certified the final environmental impact report and amended the Kern River Plan Element to allow the development of recreational areas, parking lots and protection of sensitive habitat.

Exhibit 3 shows the Final Master Plan for the Kern River Parkway approved in 1988. A detailed breakout of the existing and proposed land uses are shown in the table below.

**Kern River Parkway Master Plan
Land Use Categories**

Proposed Land Use Categories	Acreage	Percent Of Parkway
Primary River Channel	320	22.9
Natural Open Space	77	5.5
Service Industrial	28	1.5
Riparian Marsh	75	5.4
Riparian Area	120	8.6
Educational Studies Area	460	32.6
Landscape Areas	65	4.6
*Existing Recreation Areas	145	10.4
**Proposed Recreation Areas	75	5.4
Rest Areas	2	0.1
Recharge Basins	25	1.8
Parking Areas	8	0.6
Total	1,400	100

*Existing recreation areas include City owned Beach Park (30 acres) and County owned Riverview Park (15 acres) and Metro Park (100 acres)
** Includes 300-seat amphitheater

An important point is that the 1,400 acres comprising the Kern River Parkway, approximately 255 acres, or 18.2 percent are privately owned. Approximately 950 acres (68 percent) are owned by the City, and 195 acres (13.9) are publicly owned by other public agencies. To complete the Parkway Plan the City will purchase as much private land as possible by the time the Kern River Parkway is built out within an estimated 10-year time frame (1988-1998).

Finding: The Kern River Parkway Plan was an outgrowth of the Kern River Plan Element. The Kern River Parkway Plan is the mid- to long term vision of the City of Bakersfield. The 1,400 acres represents the best guess estimate for the Kern River Parkway within the City limits and was the most accurate accounting at the time.

Kern River Parkway Foundation (Non- Profit)

The Kern River Parkway Foundation is a 501(c)(3) non-profit foundation whose stated mission is “The restoration, preservation and improvement . . . of the lower Kern River as it flows through Bakersfield.” It goes on to state “The Foundation works to establish and

maintain . . . a system of . . . river trails, parks and native flora and fauna to be called ‘The Kern River Parkway.’”

On the Home Page of the Foundation’s website are the following statements:

- 1) The Kern River Parkway (KRP) has one of the most extensive bike trails (32 miles) in the state;
- 2) The KRP includes 9 Bakersfield City parks (Beach, Yokuts, Park at River Walk, River Oaks, Aera, Truxtun Lake, Kern River Uplands, San Miguel Grove, & Upland) and 4 Kern County Parks (Buena Vista, Panorama, Metro Recreational Center, Kern River County Park Complex [Hart Park, Soccer Park, CALM, Kern River Golf Course & Lake Ming], and Riverview Park (in Oildale));
- 3) The Water Recharge/Wildlife Natural Area west of town is part of the Parkway; and
- 4) Over all, the Parkway encompasses 1,400 acres of wetland preserves and natural riparian area for a total of 6,000 acres of public space.

The Foundation’s website features a sketch plan (**Exhibit 4**) showing a vicinity map of the Kern River extending from Buena Vista Lake on the southwest to Lake Isabella (61 miles in length) on the northeast on which is shown a highlighted conceptual plan map, identified as the Kern River Parkway, roughly corresponding to the area between Buena Vista Road on the west and Manor Street on the east, a distance of 8 miles. A sketch Map Detail is also shown that corresponds to the above limits. Sources documenting the statements as to facilities and parks encompassed are not provided, nor are sources provided for either of the maps, other than the website itself. No official boundaries are shown or indicated.

Several of the listed “as included” facilities are located in the Kern River County Park Complex which is northeast of metropolitan Bakersfield at a distance of approximately 7 miles (following the river course) from the Manor Street overcrossing of the Kern River, or approximately 5.5 miles (as the crow flies). The Bakersfield eastern city limit that includes the Kern River extends to the vicinity of China Grade Loop (to a point just west of Discovery Well Historic Site). That limit is approximately 2.5 miles west of the Kern River County Park Complex (as the crow flies). Other parks listed (e.g., Panorama, Riverview), while perhaps associated with the River, are not contiguous to it.

Since sources, boundaries or accurate mapping are not provided for the estimates of 1,400 acres of wetlands/riparian areas and 6,000 acres of public space, these estimates could not be verified.

Finding: The Kern River Foundation description of the Kern River Parkway and its associated facilities is conceptual and does not provide an accurate description, for purposes of the Centennial Corridor Section 4(f) Evaluation, because: (a) distances and acreages cannot be verified; (b) a number of the cited facilities are located beyond the Bakersfield city limits, and are therefore outside the area of potential direct effect of any of the TRIP roadway improvement projects, and the Centennial Corridor, in particular; and (c) there is no formal description provided as to the jurisdictional limits or boundaries

that constitutes the Kern River Parkway, as envisioned by the Foundation, nor is there any evidence or assertion of jurisdiction on the part of the Foundation, or any other identified public entity.

City of Bakersfield General Plan Update, Section 4.12 Parks and Recreation (June 2002)

The General Plan Update evaluated the parks and facilities in metro Bakersfield and assessed with the implementation of the General Plan Update. As indicated in Table 4.12-2, Parks Master List (**Exhibit 5**) the City provides one regional park identified as the Kern River Parkway with 580.14 acres. This information was based on data from the City of Bakersfield Department of Recreation and Parks Master Plan 2000-2005 (January 2000), City of Bakersfield web site (October 18, 2001), and the Kern County web site (October 18, 2001). The total estimated area of 580 acres for the Kern River Parkway in 2002 seems reasonable given that in 1988 the Kern River Parkway had estimated park acreage of 220 acres for existing and proposed recreation areas. It more than doubled in a 14-year time frame. It does indicate that the City is expanding recreational park facilities within the Parkway.

County of Kern Parks & Recreation Master Plan (May 2010)

This document references the Kern River County Park and several related facilities, which are located well to the east of the project vicinity. The Kern River Park is estimated to contain 1,445 acres of parkland and the collection of other facilities (Camp Okihi, Hart Memorial Park, Kern River Campground, Kern River Picnic Area, and Lake Ming & Metropolitan Recreation Center) together comprises an estimated 735 acres. Several maps of County facilities in the metropolitan Bakersfield area are shown, but none make reference to the Kern River Parkway, nor is there any assertion of County participation or jurisdiction in the Parkway.

Finding: Because there is not an apparent connection between the County of Kern and the Kern River Parkway, this source of information is judged not relevant to the inquiry at hand.

Metropolitan Bakersfield General Plan Update (April 2009) – Draft Existing Conditions, Constraints and Opportunities Report; Section 2.4: Parks and Open Space Element

This portion of the General Plan Update (April 2009) identifies the Kern River Parkway as being under the jurisdiction of the City of Bakersfield, as part of a system of more than 50 parks. Table 2.4.1-1 lists the Kern River Parkway Park as having 1,138.2 acres (**Exhibit 6**). Figure 2.4.1-1, which accompanies the text and table, identifies an area as Kern River Parkway Park (**Exhibit 7**), which corresponds visually to the area defined in terms of GIS mapping (see next Section III of this memo), but is not at a scale allowing a side-by-side comparison.

Finding: This Draft Plan Update was never approved by the City of Bakersfield, however the information is provided on the City's website. Based upon the limited information available as published in this information source, it is not possible to determine the basis for the 1,138.2 acre estimate.

II. ENVIRONMENTAL DOCUMENTS

Final Route 58 Route Adoption Tier 1 Environmental Impacts Statement/Environmental Impact Report (May 2001)

Section 4.4.8 Park, Recreational Facilities, Wildlife Refuges and Historic Properties Evaluated for Proximity Effects of the Tier 1 environmental document describes the Kern River Parkway Plan as providing for the development of recreational opportunities and habitat preservation on 1,400 acres along the Kern River from Manor Street to Stockdale Highway, a distance of approximately 14 kilometers (8.7 miles). The section includes a Conceptual Master Site Plan for the Kern River Corridor. The Conceptual Site Plan mirrors the Kern River Parkway Master Plan that was approved in 1988. Unfortunately, the environmental document does not quantify or updates the total acreage along the Kern River Parkway. In addition, Kern County Planning Department (letter dated January 20, 1998) stated that the Parkway Plan was adopted by the City of Bakersfield as an adjunct the Kern River Plan Element, and that the Parkway Plan was never adopted by the County.

Finding: The 1,400 acre estimate was based on the 1988 Kern River Parkway Master Plan. No current or updated acre estimates were provided in the environmental document.

Westside Parkway Tier 2 Environmental Assessment/Final Environmental Impact Report (January 2007)

The Westside Parkway environmental document relies heavily on information provided in the earlier Tier 1 for the Route 58 Route Adoption environmental document. The Westside Parkway environmental document incorrectly refers to the Kern River Plan as the Kern River Parkway Plan which was approved in 1988. The Kern River Plan identifies the proposed location of a future freeway alignment and proposed interchange locations; therefore, the Westside Parkway is consistent with the Kern River Plan. The Tier 2 document also indicates that the Kern River Parkway is 8.1 miles long and consists of about 1,400 acres and is bounded by Manor Street on the east and the Stockdale Highway Bridge on the west. The Tier 2 document did not reference a conceptual level site plan for the Kern River Parkway. As with the Tier I environmental document there was no verification of park acreage along the Kern River Parkway.

Finding: The 1,400 acre estimate was based on the 1988 Kern River Parkway Master Plan. No current or updated acre estimates were provided in the environmental document.

III. GIS BASED ESTIMATES

City of Bakersfield Geographic Information Systems (GIS)

The Kern River Parkway Corridor: City-Owned Property (April 2012) is attached as **Exhibit 8**. The Kern River Parkway is estimated to include 1,053 acres that is currently owned by the City within the Kern River Parkway boundaries. The estimate was determined based on the following resource file and process.

Parsons conducted GIS mapping and delineations by beginning with GIS Spatial Data, "Parks, Updated: 02/12," downloaded from the City of Bakersfield, California: GIS website, (www.bakersfieldcity.us/gis/downloads/gis_spatial_data.htm). The ownership of the parcels within this boundary shape were checked for City of Bakersfield ownership and all were confirmed except for two parcels: (1) a 1.23-acre (APN: 332-200-37) area north of and along the Union Pacific Railroad Track, where the track crosses over the Kern River north of Golden State Ave (State Route 204), and (2) 0.55 acres (APN: 122-011-40) at the northern end of the Kern River Parkway Park Boundary off of Cattani Street, owned by Jensen Revocable Living Trust, 5101 Cattani Dr. Bakersfield, CA 93308. The Kern River Parkway Park Boundary was modified to exclude these two parcels, which resulted in the park acreage of 1,053.0 acres. These two areas were excluded from the Parkway Boundary Map because the parcels contained land uses such as an operating railroad track or residential properties that did not allow for public access and do not constitute public recreational areas.

The Kern River Plan Element/Kern River Parkway Multi-Use Trail Map (**Exhibit 9**) shows the various land use designations from the 1988 Kern River Plan Element within the Kern River Parkway boundaries superimposed on a recent aerial with the existing uses within the Parkway and adjacent areas. As shown on the exhibit, Public and Private Recreation Areas (Map Coded 3.1) directly correspond to uses proposed in the 1988 Kern River Parkway Master Plan. In addition, the primary flood channel is excluded from the Kern River Parkway boundaries and is used as primary floodway.

Finding: The above-discussed GIS mapping represents the most accurate definition available for the Kern River Parkway, as it is registered directly to parcel boundaries that are cross referenced to property ownership and therefore it constitutes a verifiable source of information. In addition, the development of the Kern River Parkway is proceeding and directly correlates to land uses in the 1988 Kern River Plan Element. Both the City of Bakersfield Planning and the Recreation and Parks Departments have reviewed Exhibits 8 and 9 and have approved the accuracy of the maps. Letters of acceptance are attached (**Exhibit 10**).

Conclusion

The GIS-based information referenced above is the most reliable source of data with which to map the area within the Kern River Parkway Park. The data are taken from the

City's GIS database and accurate real estate parcel boundaries are registered and cross referenced. In the absence of better information, the source of which is not known, this mapping is recommended for purposes of: (a) defining the general boundaries of the Kern River Parkway Park, and (b) determining areas of potential direct use pertaining to the Section 4(f) Evaluation being done for the Centennial Corridor project.

Yet to be resolved is an apparent discrepancy of 84.53 acres between the GIS-based estimate of 1,053.67 acres and the General Plan Update estimate of 1,138.2 acres. Since the General Plan Update remains a draft and unapproved by the City Planning or Parks and Recreation Departments the estimate is questionable. Both City Departments were contacted but were unable to resolve the discrepancy.

However, even if the discrepancy between the two estimates can be resolved, it is likely that the result would not have a bearing on the Section 4(f) Evaluation, since it is reasonably certain that the identified areas for Alternatives A, B and C subject to analysis for purposes of the Centennial Corridor, are sufficiently precise to assure that the findings of the Section 4(f) Evaluation would not be affected.

DESCRIPTION OF SECTION 6(F) PROPERTIES

Section 6(f)(3) of the Land and Water Conservation Fund Act (16 United States Code §4601-4) contains provisions to protect federal investments in park and recreation properties and the quality of those assisted properties. The law recognizes the likelihood that changes in land use or development may make some assisted areas obsolete over time, particularly in rapidly changing urban areas. At the same time, the law discourages casual discards of park and recreation facilities by ensuring that changes or conversions from recreation use will bear a cost – a cost that assures taxpayers that investments in the park and recreation properties will not be squandered. The Land and Water Conservation Fund Act include a clear mandate to protect grant-assisted areas from conversions:

SEC. 6 (f) (3) – No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation use. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

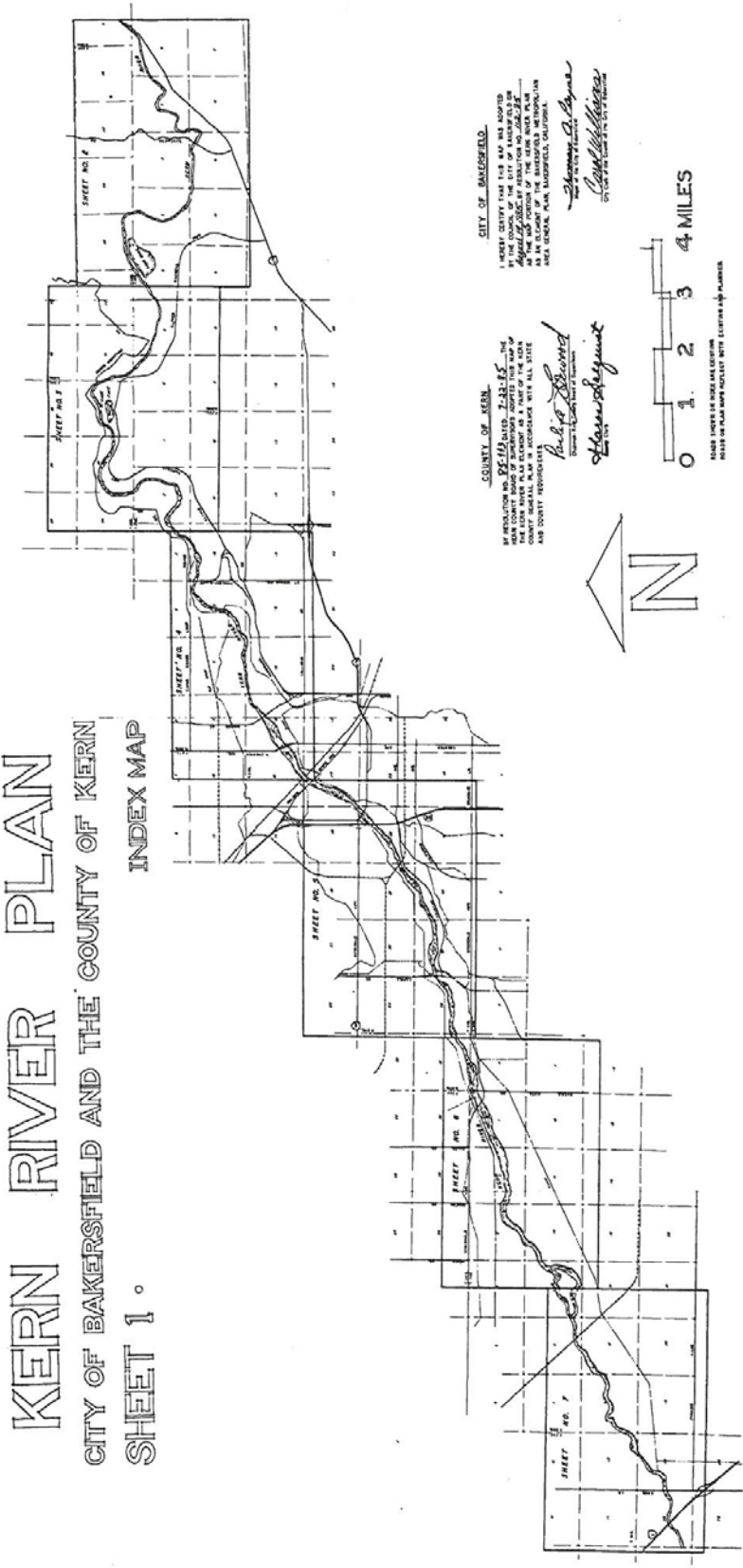
This “anti-conversion” requirement applies to all parks and other sites that have been the subject of Land and Water Conservation Fund grants of any type, whether for acquisition of parkland, development or rehabilitation of facilities.

A review of the Land and Water Conservation Fund grants database indicated that one grant for \$157,050 was provided in the 1988/1989 timeframe and that a second grant for \$87,832 was provided in the 1989/1990 timeframe for the Kern River Parkway. Upon consultation with City of Bakersfield officials from the Recreation and Parks Department

(dated January 17 and March 21, 2012), it was determined that these grants were used to develop group picnic areas, open turf areas with irrigation and landscaping, and support facilities. City of Bakersfield City Council Resolutions 43-89 and 32-90 contains 6(f)(3) Boundary Maps indicating the area where the Section 6(f) funding was used. Both City Council Resolutions and attached 6(f)(3) Boundary Maps are provided as **Exhibits 10 and 11**. At the time of the grants, the area was considered part of the Kern River Parkway; however, this area is known today as Yokuts Park. Yokuts Park became an independent park in 1993. The location of the Section 6(f) funding is outside of the project footprint.

City of Bakersfield Water Resources Department records were also reviewed for information regarding Section 6(f) funding used for the Kern River Parkway. All other funding related to development of the Kern River Parkway has resulted from voter approved local proposition funding only, and is not related to Section 6(f) funding. Therefore, no park or recreational facilities within the project footprint have been developed under Section 6(f) of the Land and Water Conservation Fund Act.

EXHIBIT 1
Kern River Plan Element
Extent of Kern River Plan



12

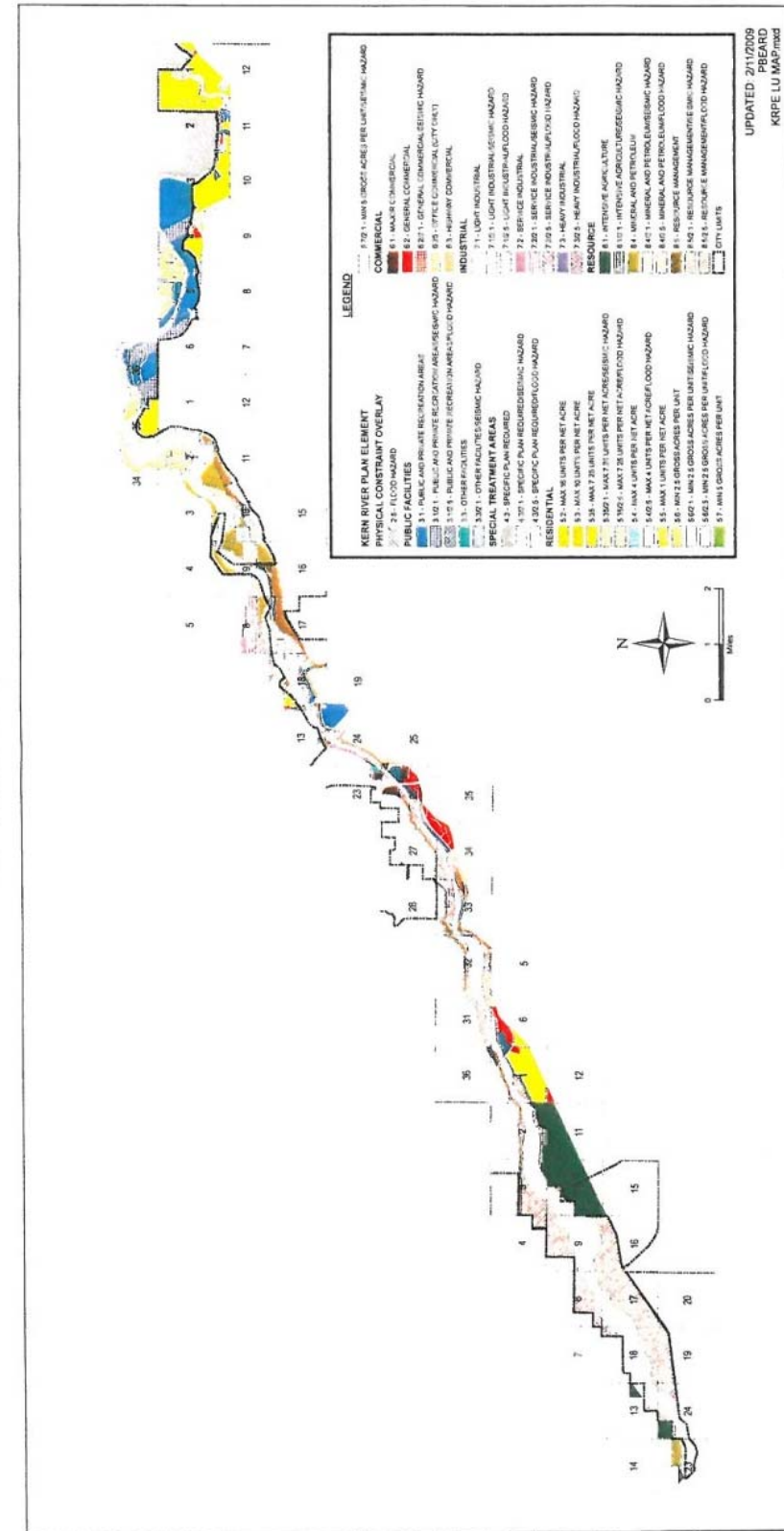


EXHIBIT 3
Kern River Parkway Master Plan
City of Bakersfield
Approved September 1988

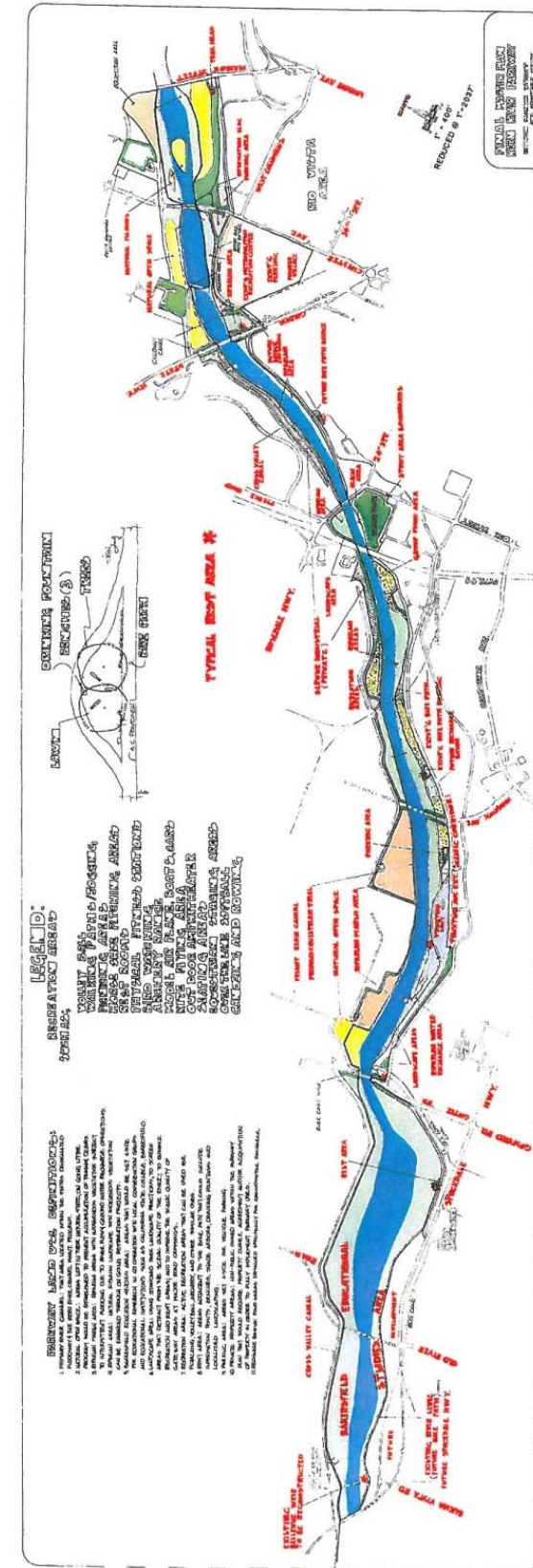


EXHIBIT 4
Kern River Parkway Foundation
Conceptual Plan



EXHIBIT 5
City of Bakersfield General Plan Update, Section 4.12 Parks and Recreation
Table 4.12-2 Parks Master List

METROPOLITAN BAKERSFIELD
GENERAL PLAN UPDATE EIR

**TABLE 4.12-2
PARKS MASTER LIST**

Map Ref. No.	Park Name	Category	Acreage	Jurisdiction	Status
1	Almondale Park	Neighborhood	11.34	City	Developed
2	Amberton Park	Mini	2.69	City	Developed
3	Beach Park	Neighborhood	26.47	City	Developed
4	Beale Park	Neighborhood	6.98	City	Developed
5	Bear Mountain Park	Community	16.00	County	Developed
6	Belle Terrace Park	Community	20.71	County	Developed
7	Bill Park Greens	Mini	2.69	City	Developed
8	Campus Park North	Neighborhood	11.07	City	Developed
9	Campus Park South	Neighborhood	12.12	City	Developed
10	Casa Loma Park	Neighborhood	9.72	City	Developed
11	Castle Park	Mini	3.76	City	Developed
12	Centennial Park	Neighborhood	8.96	City	Developed
13	Centennial Plaza	Mini	0.63	City	Developed
14	Central Park	Neighborhood	11.41	City	Developed
15	Challenger Park	Mini	5.62	City	Developed
16	Circle Park	Neighborhood	0.12	County	Developed
17	College Park	Neighborhood	13.88	City	Developed
18	Coral Keys Park	Mini	2.25	City	Developed
19	Corvallis Park	Neighborhood	5.54	City	Developed
20	Deer Park	Neighborhood	6.04	City	Developed
21	District Office	Mini	4.01	County	Developed
22	Emerald Cove Park	Neighborhood	9.78	City	Developed
23	Fruitvale/Norris Park	Neighborhood	17.04	County	Developed
24	Garden Park	Neighborhood	5.85	City	Developed
25	Green Acres Park	Community	10.41	County	Developed
26	Greenfield Park	Neighborhood	4.87	County	Developed
27	Grissom Park	Neighborhood	11.34	City	Developed
28	Haggin Oaks Park	Neighborhood	8.87	City	Developed
29	Heritage Park	Neighborhood	19.36	County	Developed
30	International Square	Mini	1.32	City	Developed
31	Jastro Park	Neighborhood	8.71	City	Developed
32	Jefferson Park	Neighborhood	8.90	City	Developed
33	Jenkins & Hageman Park	Neighborhood	8.91	County	Undeveloped
34	Kern Delta Park	Community	12.09	County	Undeveloped
35	Kern River County Park*	Regional	13335.77	County	Developed
36	Kern River Parkway	Regional	580.14	City	Developed
37	Kroll Park	Mini	4.24	City	Developed
38	Lamont Park	Neighborhood	7.83	County	Developed
39	Liberty Park	Community	21.71	City	Developed
40	Lowell Park	Neighborhood	10.17	City	Developed
41	Madison Grove Park	Neighborhood	11.02	City	Undeveloped
42	Martin Luther King Jr. Park	Community	14.94	City	Developed
43	McCray Park	Mini	1.78	County	Developed
44	Metro Recreation Center	Regional	96.64	City	Developed
45	Mondavi Park	Neighborhood	9.13	City	Developed
46	North Beardsley Park	Neighborhood	6.58	County	Developed

METROPOLITAN BAKERSFIELD
GENERAL PLAN UPDATE EIR

TABLE 4.12-2 – CONTINUED
PARKS MASTER LIST

Map Ref. No.	Park Name	Category	Acreage	Jurisdiction	Status
47	North Highland Park	Neighborhood	9.58	County	Developed
48	North Meadows Park	Neighborhood	8.03	County	Undeveloped
49	North Rosedale Park	Neighborhood	12.70	City/County	Developed
50	Olive Park East	Mini	2.53	County	Developed
51	Olive Park West	Mini	2.51	County	Developed
52	Panorama Park	Community	24.98	City	Developed
53	Patriots Park	Neighborhood	20.02	City	Developed
54	Pin Oak Park	Neighborhood	16.81	City	Developed
55	Pioneer Park	Community	14.05	County	Developed
56	Planz Park	Neighborhood	8.25	City	Developed
57	Polo Community Park	Community	38.28	City	Undeveloped
58	Potomac Park	Neighborhood	4.34	County	Developed
59	Quailwood Park	Neighborhood	6.07	City	Developed
60	Rasmussen Senior Center	Mini	3.67	County	Developed
61	Rexland Acres Park	Neighborhood	4.44	County	Developed
62	Rio Vista Park	Community	31.31	City	Undeveloped
63	River Lakes Ranch Park	Community	28.57	City	Undeveloped
64	River Oaks Park	Neighborhood	12.36	City	Developed
65	Riverview Park	Community	17.59	County	Developed
66	Rosedale Park	Community	19.60	County	Undeveloped
67	Saunders Park	Neighborhood	8.92	City	Developed
68	Sears Park	Mini	2.05	County	Developed
69	Seasons Park	Neighborhood	9.78	City	Developed
70	Seimon Park	Neighborhood	8.20	City	Developed
71	Silver Creek Park	Community	14.44	City	Developed
72	Standard Park	Community	15.37	County	Developed
73	Steirn Park	Neighborhood	5.12	City	Developed
74	Stonecreek Park	Mini	3.32	City	Developed
75	Tevis Park	Neighborhood	7.50	City	Developed
76	University Park	Neighborhood	10.76	City	Developed
77	Virginia Avenue Park	Community	9.47	County	Developed
78	Wayside Park	Neighborhood	13.02	City	Developed
79	Weedpatch Park	Neighborhood	8.00	County	Developed
80	Weill Park	Mini	2.71	City	Developed
81	Westdale Park	Neighborhood	8.11	County	Developed
82	Westwold Park	Mini	3.90	City	Developed
83	Wilderness Park	Mini	4.87	City	Developed
84	Wilkins Park	Neighborhood	2.88	County	Developed
85	Wilson Park	Neighborhood	6.75	City	Developed
86	Windermere Park	Neighborhood	5.87	City	Undeveloped
87	Windsor Park	Neighborhood	6.01	City	Developed
88	Yokuts Parks	Community	18.94	City	Developed
*Includes Hart Memorial Park.					

EXHIBIT 6
City of Bakersfield Draft General Plan Update (April 2009)
Table 2.4.1-1

DRAFT EXISTING CONDITIONS, CONSTRAINTS AND OPPORTUNITIES REPORT

6. Create a master trails plan for the Metropolitan Bakersfield planning area to include trails and trail alignments identified in the various plans. This may include recission of some existing plans that would no longer be necessary.

TABLE 2.4.1-1
EXISTING PARKS IN METROPOLITAN BAKERSFIELD

	<u>Park Name¹</u>	<u>Agency</u>	<u>Acreage</u>
1	Solera Garden	City of Bakersfield	3.7
2	Kern River Parkway Park	City of Bakersfield	1138.2
3	University Park	City of Bakersfield	10.8
4	Siemon Park	City of Bakersfield	8.2
5	Mesa Marin Ball Diamonds	City of Bakersfield	17.7
6	Jefferson Park	City of Bakersfield	8.0
7	Joshua Park	City of Bakersfield	0.6
8	Weill Park	City of Bakersfield	1.7
9	Central Park	City of Bakersfield	11.2
10	Yokuts Park	City of Bakersfield	16.4
11	Jastro Park	City of Bakersfield	8.7
12	Centennial Plaza	City of Bakersfield	1.1
13	MC Murtrey Aquatic Center	City of Bakersfield	2.0
14	Martin Luther King Park	City of Bakersfield	14.0
15	Saunders Park	City of Bakersfield	9.1
16	Beale Park	City of Bakersfield	6.4
17	Lowell Park	City of Bakersfield	10.2
18	Centennial Park	City of Bakersfield	9.0
19	Quailwood Park	City of Bakersfield	10.6
20	Future Park	City of Bakersfield	38.0
21	The Park at River Walk Park	City of Bakersfield	33.2
22	Bill Park Greens Park	City of Bakersfield	2.7
23	River Oaks Park	City of Bakersfield	20.0
24	Windsor Park	City of Bakersfield	6.0
25	Kroll Park	City of Bakersfield	4.2
26	Wayside Park	City of Bakersfield	14.0
27	Deer Peak Park	City of Bakersfield	6.0
28	Patriots Park	City of Bakersfield	20.0

DRAFT EXISTING CONDITIONS, CONSTRAINTS AND OPPORTUNITIES REPORT

	<u>Park Name¹</u>	<u>Agency</u>	<u>Acreage</u>
29	Amberton Park	City of Bakersfield	2.7
30	Wilson Park	City of Bakersfield	6.8
31	Haggin Oaks Park	City of Bakersfield	8.9
32	Westwold Park	City of Bakersfield	8.0
33	Castle Park	City of Bakersfield	10.6
34	Pin Oak Park	City of Bakersfield	16.8
35	Windermere Park	City of Bakersfield	6.2
36	Corvallis Park	City of Bakersfield	8.8
37	Garden Park	City of Bakersfield	5.7
38	Planz Park	City of Bakersfield	8.3
39	Campus Park N.	City of Bakersfield	11.1
40	Tevis Park	City of Bakersfield	10.7
41	Grissom Park	City of Bakersfield	11.3
42	Campus Park S.	City of Bakersfield	12.1
43	Stiern Park	City of Bakersfield	7.9
44	Silver Creek Park	City of Bakersfield	14.4
45	Coral Keys Park	City of Bakersfield	2.3
46	Wilderness Park	City of Bakersfield	4.9
47	Seasons Park	City of Bakersfield	9.8
48	Challenger Park	City of Bakersfield	5.1
49	Stone Creek Park	City of Bakersfield	6.1
50	Beach Park	City of Bakersfield	21.6
51	Weston Park	City of Bakersfield	6.0
52	Tradewinds Park	City of Bakersfield	7.9
53	Greystone Park	City of Bakersfield	10.4
54	Granite Point Park	City of Bakersfield	4.0
55	Hart Memorial Park	County of Kern	451.2
56	Kern River Golf Course	County of Kern	182.1
57	Lake Ming	County of Kern	496.6
58	College Park	County of Kern	17.1
59	Panorama Park	County of Kern	30.7
60	Wilkins Park	County of Kern	1.1
61	Metropolitan Recreation Center	County of Kern	99.5

DRAFT EXISTING CONDITIONS, CONSTRAINTS AND OPPORTUNITIES REPORT

	<u>Park Name¹</u>	<u>Agency</u>	<u>Acreage</u>
62	Heritage Park	County of Kern	19.3
63	Pioneer Park	County of Kern	9.5
64	Potomac Park	County of Kern	4.4
65	Virginia Avenue Park	County of Kern	9.5
66	Belle Terrace Park	County of Kern	20.7
67	Kern Delta Park	County of Kern	12.1
68	Greenfield Park	County of Kern	4.8
69	Bear Mountain Park	County of Kern	9.1
70	Lamont Park	County of Kern	7.9
71	Rexland Acres Park	County of Kern	4.5
72	North Highland Park	North Bakersfield Parks and Recreation District	15.0
73	North Park	North Bakersfield Parks and Recreation District	4.5
74	McCray Park	North Bakersfield Parks and Recreation District	1.7
75	Sears Park	North Bakersfield Parks and Recreation District	2.1
76	Fruitvale Norris Park	North Bakersfield Parks and Recreation District	17.1
77	Standard Park	North Bakersfield Parks and Recreation District	15.4
78	North Beardley Park	North Bakersfield Parks and Recreation District	6.6
79	Olive Park West	North Bakersfield Parks and Recreation District	2.5
80	Olive Park East	North Bakersfield Parks and Recreation District	2.5
81	Riverview Park	North Bakersfield Parks and Recreation District	20.0
82	Emerald Cove Park	North Bakersfield Parks and Recreation District	10.0
83	North Rosedale Park	North Bakersfield Parks and Recreation District	13.0
84	Greenacres Park	North Bakersfield Parks and Recreation District	15.1
85	Westdale Park	North Bakersfield Parks and Recreation District	8.1
86	Liberty Park	North Bakersfield Parks and Recreation District	21.7
87	Mondavi Park	North Bakersfield Parks and Recreation District	9.1
88	Almondale Park	North Bakersfield Parks and Recreation District	11.5
89	San Lauren Park	North Bakersfield Parks and Recreation District	8.1
90	Madison Grove Park	North Bakersfield Parks and Recreation District	11.0
91	North Meadows Park	North Bakersfield Parks and Recreation District	8.8
92	Rasmussen Center	North Bakersfield Parks and Recreation District	1.3
93	Riverlakes Ranch Park	North Bakersfield Parks and Recreation District	25.7
94	Polo Community Park	North Bakersfield Parks and Recreation District	38.3

DRAFT EXISTING CONDITIONS, CONSTRAINTS AND OPPORTUNITIES REPORT

	<u>Park Name¹</u>	<u>Agency</u>	<u>Acreage</u>
95	Rosedale Park	North Bakersfield Parks and Recreation District	19.6
96	Silver Oak Park	North Bakersfield Parks and Recreation District	8.9
97	Austin Creek Park	North Bakersfield Parks and Recreation District	4.8
98	Kern County Soccer Park	Soccer Park Foundation	134.0
99	Kern River State Recreation Area	State of California	130.7
Total Acreage			3,606.6

¹ Does not include water banks, private facilities or the Kern County Fairgrounds

EXHIBIT 7
City of Bakersfield Draft General Plan Update (April 2009)
Kern River Parkway Park

**DRAFT EXISTING CONDITIONS, CONSTRAINTS AND
OPPORTUNITIES REPORT**

**FIGURE 2.4.1-1
EXISTING PARKS**

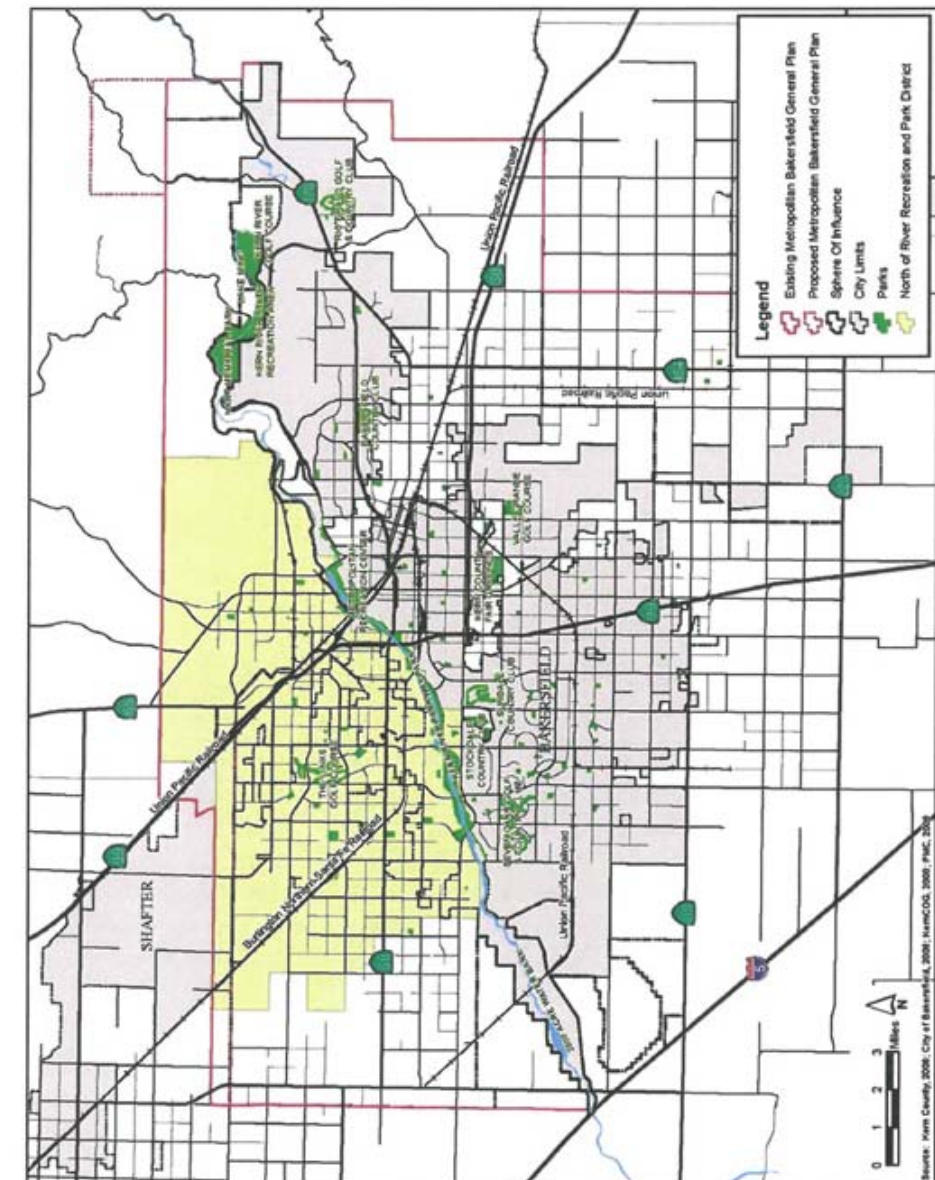


EXHIBIT 8
City of Bakersfield: Kern River Parkway Corridor: City-Owned Property
GIS Files (April 2012)

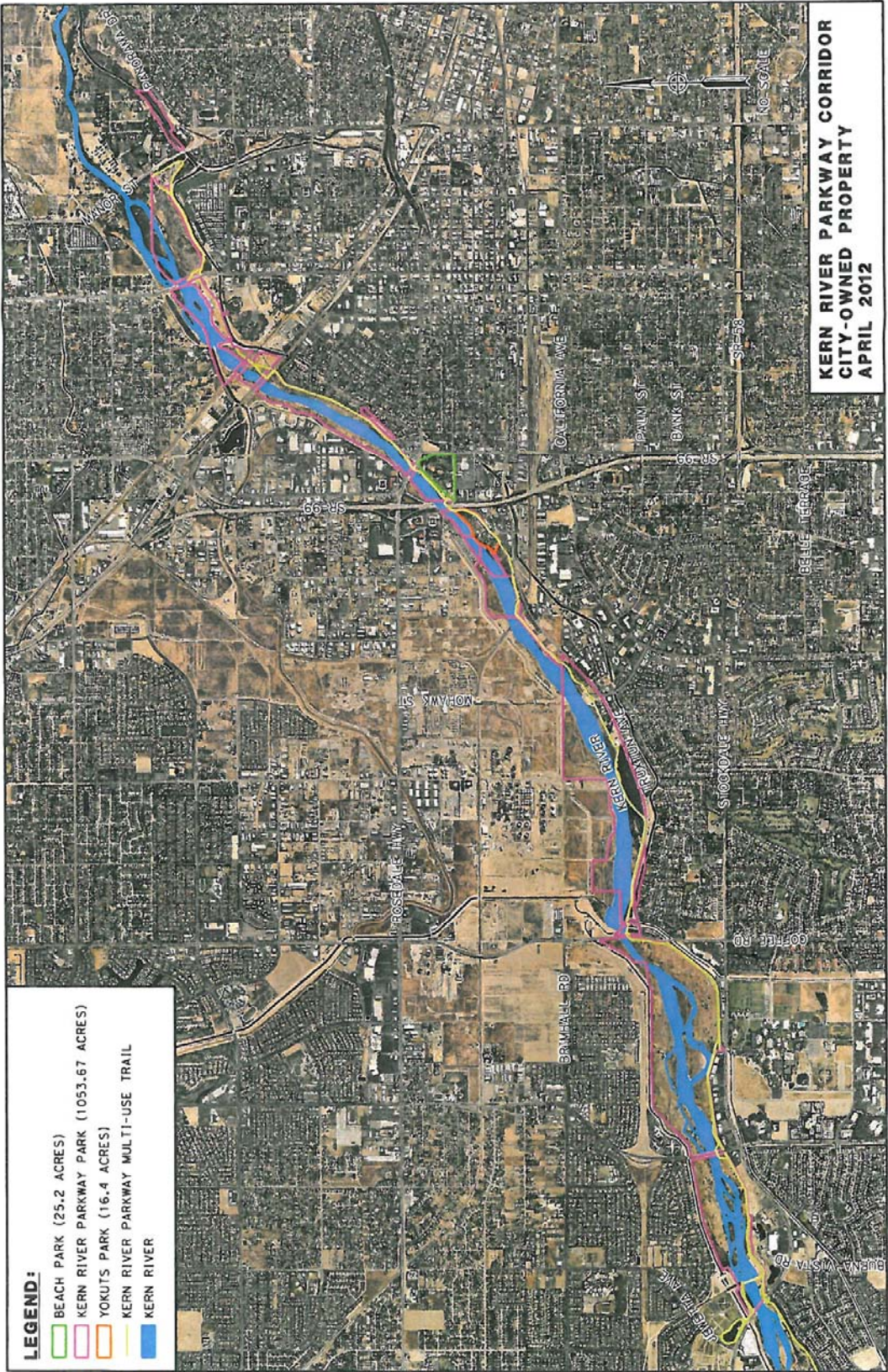


EXHIBIT 9
City of Bakersfield: Kern River Plan Element/Kern River Parkway Multi- Use Trail Map
(May 2012)

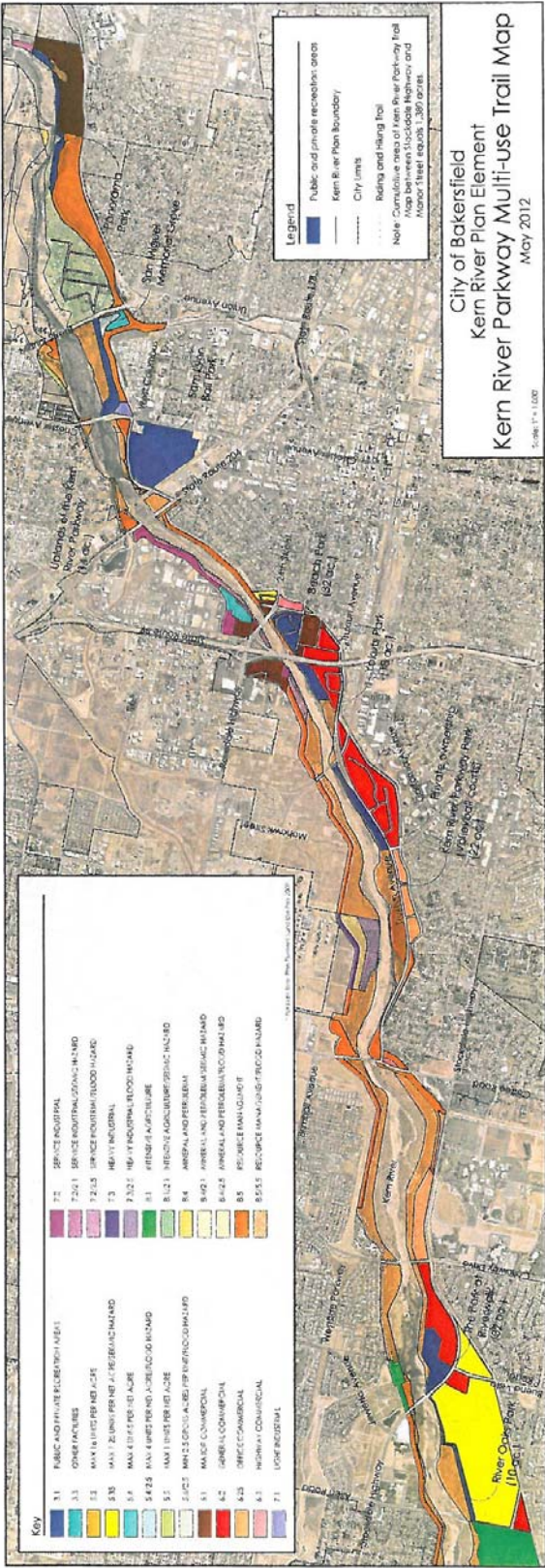


EXHIBIT 10

Acceptance from the City of Bakersfield
Planning Department
Recreation and Parks Department
(May 2012)



May 2, 2012

David Clark
TRIP – Environmental Program Manager
900 Truxtun Avenue
Bakersfield, Ca 93311

Dear Mr. Clark,

Thank you for providing a copy of the memorandum regarding the Kern River Parkway acreage estimates and section 6(f) funding for the Bakersfield TRIP Project.

The maps and corresponding acreage of public property in exhibits 8 and 9 are accurate. These exhibits reflect the public parks and the Kern River Parkway trails as they currently exist.

If you have further questions, I can be reached at (661) 326-3014.


Sincerely,


Dianne Hoover, Director
Recreation & Parks Department



MEMORANDUM

MAY 2, 2012

TO: DAVID CLARK, TRIP ENVIRONMENTAL PROGRAM MANAGER
FROM: JIM EGGERT, PLANNING DIRECTOR 
SUBJECT: KERN RIVER PARKWAY ACREAGE ESTIMATES

I have read through the information contained in the May 1, 2012 memorandum regarding the Kern River Parkway Acreage Estimates and Section 6(f) Funding.

The information presented within that memorandum is factual with respect to the planning and land use documents prepared and on file with the Bakersfield Planning Department. Furthermore, the information depicted in the exhibits is correctly referenced and documented. Concerning Exhibits 8 and 9, they accurately represent the park boundary and the Kern River Plan Element parkway land use designations and trail system consistent with the records contained in this office.

EXHIBIT 11 City of Bakersfield City Council Resolution No. 32-90

RESOLUTION NO. 32-90

RESOLUTION OF THE COUNCIL OF THE CITY OF BAKERSFIELD AUTHORIZING APPLICATION FOR LAND AND WATER CONSERVATION FUNDS TO DEVELOP A KERN RIVER PARKWAY GROUP PICNIC AREA (PHASE 2), SUPPORT FACILITIES, AND TURF AREAS ON 15 ACRES LOCATED WEST OF STATE HIGHWAY 99, NORTH OF EMPIRE DRIVE.

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the State Department of Parks and Recreation is responsible for administration of the program in the state, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the state; and

WHEREAS, the proposed Kern River Parkway Group Picnic, support facilities and open space turf project is consistent with the Statewide Comprehensive Recreation Resources Plan: California Outdoor Recreation Plan - 1988; and

WHEREAS, the City of Bakersfield wishes to construct a group picnic, support facilities and open space turf area on approximately 15 acres generally located west of Highway 99, south of the Kern River, and north of Empire Drive; and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The Council hereby approves the filing of an application for Land and Water Conservation Fund assistance; and

2. The Council hereby certifies that said agency has matching funds from the following source of the California Wildlife, Coastal, and Park Land Conservation Act of 1988 (Proposition 70), Per Capita Grant Program, Fiscal Year 1990/91 appropriation, and can finance 100 percent of the project, half of which will be reimbursed; and

3. The Council hereby certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; and

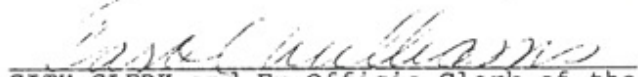
4. The Council hereby appoints the City Manager as agent of the City of Bakersfield to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, billing statements and so on which may be necessary for the completion of the aforementioned project.

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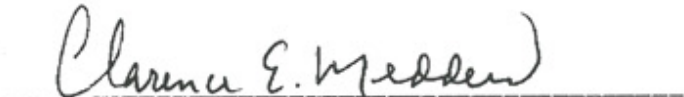


I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield on MAR 21 1990, by the following vote:

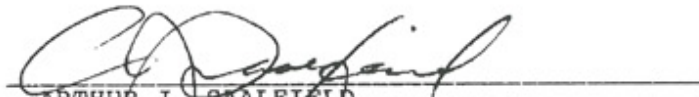
AYES: COUNCILMEMBERS: EDWARDS, DeMOND, SMITH, BRUNNI, PETERSON, McDERMOTT, SALVAGGIO
NOES: COUNCILMEMBERS: NONE
ABSENT COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE


CITY CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

APPROVED MAR 21 1990


CLARENCE E. MEDDERS
MAYOR of the City of Bakersfield

APPROVED as to form:


ARTHUR J. SAALFELD
CITY ATTORNEY of the City of Bakersfield

pjt/meg
r/rccpl
3/13/90

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LAND AND WATER CONSERVATION FUND PROGRAM
APPLICATION

This Form and Required Attachments Must Be Submitted for Each Project Site

TYPE OF PROJECT (check one below)

- ☐ Acquisition
☒ Development

PROJECT NAME Kern River Parkway Group Picnic and Open Space Area (Phase 2)	AMOUNT OF GRANT REQUESTED \$ 150,000	
	ESTIMATED TOTAL PROJECT COST \$ 300,000	
GRANT APPLICANT (Agency and address-incl. zip code) City of Bakersfield 1501 Truxtun Avenue Bakersfield, CA 93301	COUNTY Kern	NEAREST CITY Bakersfield
	PROJECT ADDRESS 4200 Empire Drive	
	NEAREST CROSS STREET Empire Drive and Truxtun Avenue	
	CONGRESSIONAL DIST. NO. 20	SENATE DIST. NO. 16

Grant Applicant's Representative Authorized in Resolution J. Dale Hawley			City Manager	(805) 326-3751
Name (type)			Title	Phone
Person with day-to-day responsibility for project (if different from authorized representative) Paul Dow				
Name (type)			Title Community Services Manager	Phone (805) 326-3715

Brief description of project
Development of Phase 2 on a 15 acre site in the Kern River Parkway master plan as a group picnic area and open space turf area including support facilities. Phase 2 development includes large group, single and double picnic stations. The stations include tables, benches, barbecue stoves and utilities. Support facilities include utility systems, parking lot expansion, landscaping, irrigation and security lighting.

For Dev. projects Land Tenure - Project is: <u>15</u> acres: <u>15</u> Acres owned in fee simple by Grant Applicant ____ Acres available under a _____ year lease ____ Acres other interest (explain) _____	For Acquisition projects Projects land will be _____ acres ____ Acquired in fee simple by Grant Applicant ____ Acquired in other than fee simple (explain) _____
--	--

I certify that the information contained in this project application form, including required attachments, is accurate and that this project is consistent with the park and recreation element of the applicable city or county general plan or the district park and recreation plan and will satisfy a high priority need.

Signed J Dale Hawley Grant Applicant's Authorized Representative as shown in Resolution Date 3-27-90

CHECKLIST OF APPLICATION MATERIALS

1. LWCF Application Form (1 copy)
2. Resolution (1 copy)
3. Program Narrative (Part IV) (2 copies)
4. Development Cost Estimate or Acquisition Schedule (2 copies)
5. Applicant's Source of Funds (1 copy)
6. Location Map (2 copies)
7. 6(f)(3) Boundary Map (2 copies)
8. Site Plan or Acquisition Plan Map (2 copies)
9. Floor Plans of Buildings (2 copies)
10. Part II, Section A (OMB Form 80-R0184) (1 copy)
11. Part II, Section B (OMB Form 80-R0184) (1 copy)
12. Evidence of CEQA Compliance (2 copies of one of the following)
 - a. Notice of Exemption
 - b. Notice of Determination with Negative Declaration, Initial Study, and State Clearinghouse responses
 - c. Notice of Determination with Final EIR, Initial Study, and State Clearinghouse responses
13. Evidence of NEPA Compliance (2 copies of one of the following)
 - a. Environmental Assessment
 - b. Environmental Certification
 - c. Final EIR
14. Assurance of Compliance and Addendum (Title VI) (1 copy)
15. Assurance Section 504, Federal Rehabilitation Act of 1973 (1 copy)
16. Certification of Compliance — Relocation Act (PL 91-646) (1 copy)
17. Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion (1 copy)
18. SHPO Memorandum of Understanding (1 copy)
19. Approved Lease or Operating Agreement (1 copy)
20. Corps of Engineers Permit (1 copy)
21. Other required permits
22. Photographs of Site

DPR 823 (1/89) (Back)

PROJECT PROPOSAL: KERN RIVER PARKWAY
GROUP PICNIC AND OPEN SPACE AREAS

MAP: 6(f)(3) BOUNDARY MAP

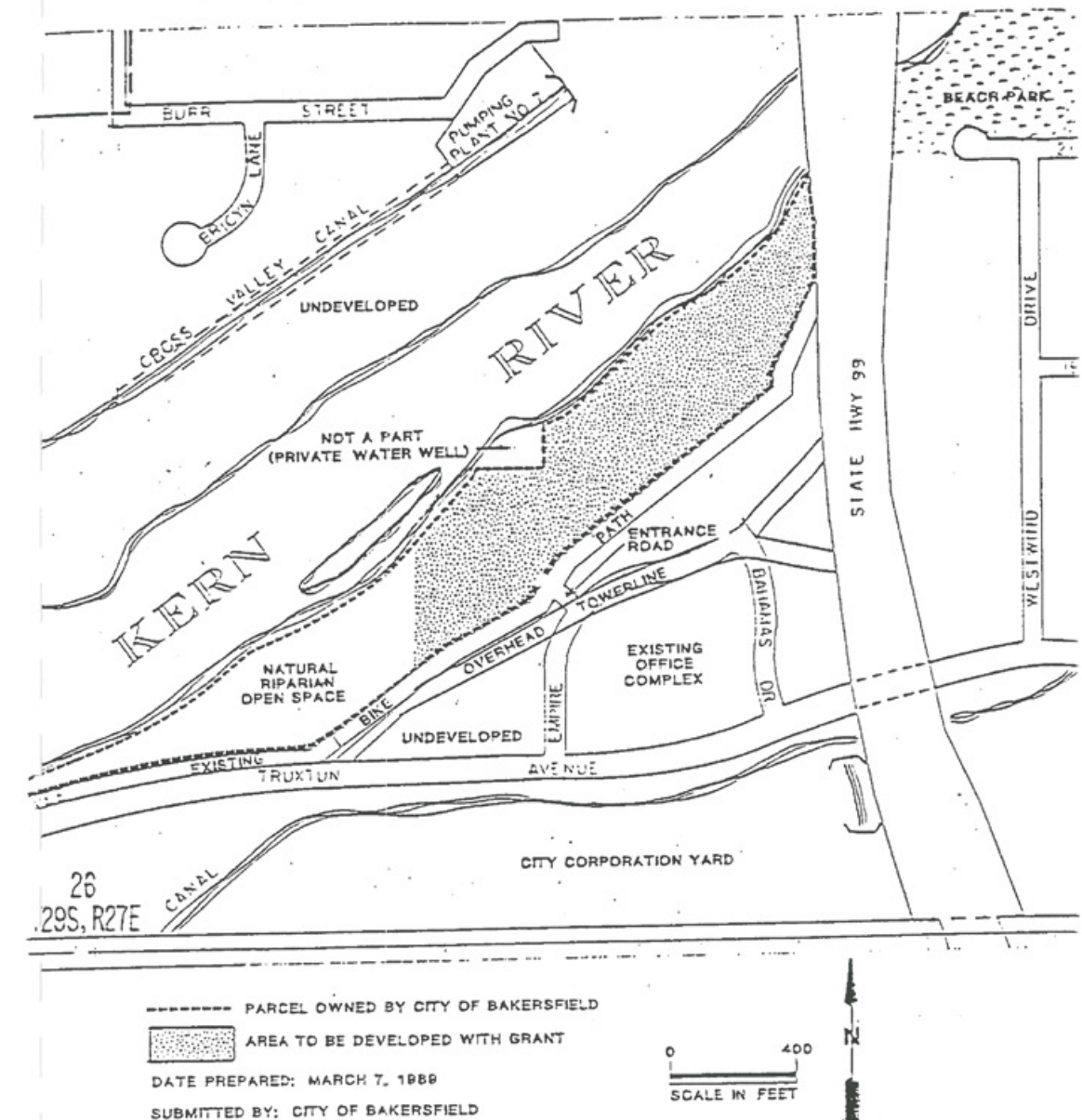


EXHIBIT 12

City of Bakersfield City Council Resolution No. 43-89

RESOLUTION NO. 43-89

RESOLUTION OF THE COUNCIL OF THE CITY OF BAKERSFIELD

RESOLUTION AUTHORIZING APPLICATION FOR LAND AND WATER CONSERVATION FUNDS TO DEVELOP A KERN RIVER PARKWAY GROUP PICNIC AREA, SUPPORT FACILITIES, AND TURF AREAS ON 15 ACRES LOCATED WEST OF STATE HIGHWAY 99, NORTH OF EMPIRE DRIVE.

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the State Department of Parks and Recreation is responsible for administration of the program in the state, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the state; and

WHEREAS, the proposed Kern River Parkway Group Picnic, support facilities and open space turf project is consistent with the Statewide Comprehensive Recreation Resources Plan: California Outdoor Recreation Plan - 1988; and

WHEREAS, the City of Bakersfield wishes to construct a group picnic, support facilities and open space turf area on approximately 15 acres generally located west of Highway 99, south of the Kern River, and north of Empire Drive; and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bakersfield as follows:

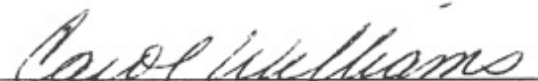
1. Approves the filing of an application for Land and Water Conservation Fund assistance; and
2. Certifies that said agency has matching funds from the following source of the California Wildlife, Coastal, and Park Land Conservation Act of 1988 (Proposition 70), Per Capita Grant Program, Fiscal Year 1989/90 appropriation; and

3. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; and
4. Appoints the City Manager as agent of the City of Bakersfield to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the aforementioned project.

-----o0o-----

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on the 29th day of March, 1989 by the following vote:

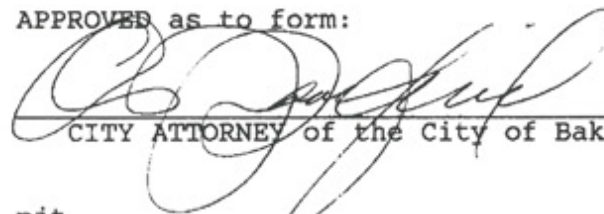
AYES: COUNCILMEMBERS:	<u>DeMingo, Smith, Ratty, Peterson, McDermott, Salvaggio</u>
NOES: COUNCILMEMBERS:	<u>None</u>
ABSENT: COUNCILMEMBERS:	<u>Childs</u>
ABSTAINING: COUNCILMEMBERS:	<u>None</u>


 CITY CLERK and Ex Officio Clerk of the
 Council of the City of Bakersfield

APPROVED this 29th day of March, 19 89


 MAYOR of the City of Bakersfield

APPROVED as to form:


 CITY ATTORNEY of the City of Bakersfield

pjt
 a:res.lwl

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF PARKS AND RECREATION
LAND & WATER CONSERVATION FUND PROGRAM
APPLICATION
This Form and Required Attachments Must Be Submitted for Each Project Site
TYPE OF PROJECT (check one below)
☐ Acquisition
☒ Development

PROJECT NAME Kern River Parkway Group Picnic and Open Space Area with Support Facilities	AMOUNT OF GRANT REQUESTED \$ 84,050		
	ESTIMATED TOTAL PROJECT COST \$ 168,100		
GRANT APPLICANT (Agency and address-incl. zip code) City of Bakersfield 1501 Truxtun Avenue Bakersfield, CA 93301	COUNTY Kern	NEAREST CITY Bakersfield	
	PROJECT ADDRESS 4200 Empire Drive		
	NEAREST CROSS STREET Truxtun Avenue		
	CONGRESSIONAL DIST. NO. 20	SENATE DIST. NO. 16	ASSEMBLY DIST. NO. 33

Grant Applicant's Representative Authorized in Resolution
J. Dale Hawley City Manager (805) 326-3751
Name (type) Title Phone
Person with day-to-day responsibility for project (if different from authorized representative)
Paul Dow Community Services Manager (805) 326-3715
Name (type) Title Phone

Brief description of project
Development of Phase I on a 15 acre site in the Kern River Parkway master plan as a group picnic area and open space turf area including support facilities. Phase I Development includes two group picnic stations accommodating up to 80 people each. The stations include concrete slab, serving shelter, tables, benches, barbecue stoves, and utilities. In addition, several single and double picnic tables will be placed throughout the site. Support facilities include utility systems, access road, bicycle bypass, and parking lot. The site is located west of Highway 99, south side of the Kern River, north of Empire Drive.

For Dev. projects Land Tenure - Project is: 15 acres: 15 Acres owned in fee simple by Grant Applicant Acres available under a year lease Acres other interest (explain)	For Acquisition projects Projects land will be acres Acquired in fee simple by Grant Applicant Acquired in other than fee simple (explain)
--	--

I certify that the information contained in this project application form, including required attachments, is accurate and that this project is consistent with the park and recreation element of the applicable city or county general plan or the district park and recreation plan and will satisfy a high priority need.

Signed J Dale Hawley 3-20-89
Grant Applicant's Authorized Representative as shown in Resolution Date

DPR 823 (1/89) (over) 11

- CHECKLIST OF APPLICATION MATERIALS
1. LWCF Application Form (1 copy)

2. Resolution (1 copy)

3. Program Narrative (Part IV) (2 copies)

4. Development Cost Estimate or Acquisition Schedule (2 copies)

5. Applicant's Source of Funds (1 copy)

6. Location Map (2 copies)

7. 6(f)(3) Boundary Map (2 copies)

8. Site Plan or Acquisition Plan Map (2 copies)

9. Floor Plans of Buildings (2 copies)

10. Part II, Section A (OMB Form 80-R0184) (1 copy)

11. Part II, Section B (OMB Form 80-R0184) (1 copy)

12. Evidence of CEQA Compliance (2 copies of one of the following)

a. Notice of Exemption

b. Notice of Determination with Negative Declaration, Initial Study, and State Clearinghouse responses

c. Notice of Determination with Final EIR, Initial Study, and State Clearinghouse responses

13. Evidence of NEPA Compliance (2 copies of one of the following)

a. Environmental Assessment

b. Environmental Certification

c. Final EIR

14. Assurance of Compliance and Addendum (Title VI) (1 copy)

15. Assurance Section 504, Federal Rehabilitation Act of 1973 (1 copy)

16. Certification of Compliance - Relocation Act (PL 91-646) (1 copy)

17. Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion (1 copy)

18. SHPO Memorandum of Understanding (1 copy)

~~19. Approved Lease or Operating Agreement (1 copy)~~

~~20. Corps of Engineers Permit (1 copy)~~

~~21. Other required permits~~

22. Photographs of Site
- DPR 823 (1/89) (Back) 12

Kern River Parkway in
Group Picnic/Open Space Area

DEVELOPMENT COST ESTIMATE SCHEDULE

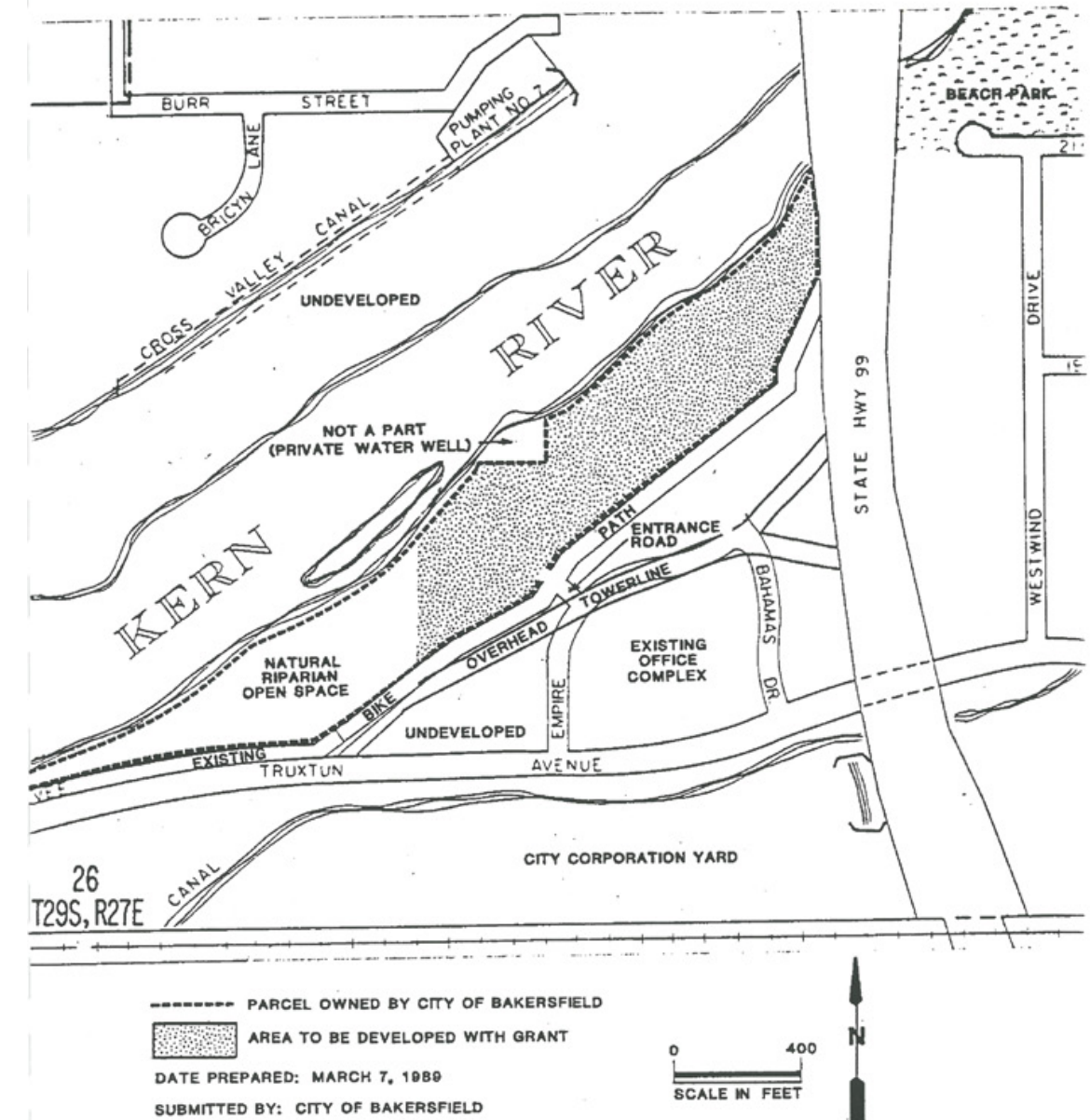
CONSTRUCTION COSTS FOR PHASE I

Earthwork site preparation (parking lot, road preparation)	\$25,000
Picnic stations (2 group stations, serving shelter, concrete slab, barbecues, single & double nooks, utilities)	48,100
Restroom/concession	35,000
Sewer System	5,000
Water System (irrigation, domestic)	45,000
Electric system	2,000
Landscaping	7,000
Misc. site amenities (signage, trash receptacles)	1,000
Total	\$168,100

L&WCF GRANT AMOUNT REQUESTED: \$84,050

PROJECT PROPOSAL: KERN RIVER PARKWAY
GROUP PICNIC AND OPEN SPACE AREAS

MAP: 6(f)(3) BOUNDARY MAP



Appendix C Title VI Policy Statement

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY 711
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

March 2013

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

For information or guidance on how to file a complaint based on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, please visit the following web page: http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm.

Additionally, if you need this information in an alternate format, such as in Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, 1823 14th Street, MS-79, Sacramento, CA 95811. Telephone: (916) 324-0449, TTY: 711, or via Fax: (916) 324-1949.

A handwritten signature in blue ink, reading "Malcolm Dougherty".

MALCOLM DOUGHERTY
Director

"Caltrans improves mobility across California"

Appendix D Summary of Relocation Benefits

The city of Bakersfield and the County of Kern will be the agencies responsible for acquiring the necessary right-of-way for the project. These agencies will follow the same process that Caltrans uses, which is outlined in the Caltrans Relocation Assistance Program, which is provided below.

California Department of Transportation Relocation Assistance Program

Relocation Assistance Advisory Services

Declaration of Policy

“The purpose of this title is to establish a ***uniform policy for fair and equitable treatment*** of persons displaced as a result of federal and federally assisted programs in order that such persons ***shall not suffer disproportionate injuries*** as a result of programs designed for the benefit of the public as a whole.”

The Fifth Amendment to the U.S. Constitution states, “No Person shall...be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation.” The Uniform Act sets forth in statute the due process that must be followed in Real Property acquisitions involving federal funds. Supplementing the Uniform Act is the government-wide single rule for all agencies to follow, set forth in 49 CFR, Part 24. Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments, as discussed below.

Fair Housing

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act, and as amended, makes discriminatory practices in the purchase and rental of most residential units illegal. Whenever possible, minority persons shall be given reasonable opportunities to relocate to any available housing regardless of neighborhood, as long as the replacement dwellings are decent, safe, and sanitary and are within their financial means. This policy, however, does not require Caltrans to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Any persons to be displaced will be assigned to a relocation advisor, who will work closely with each displace in order to see that all payments and benefits are fully utilized, and that all regulations are observed, thereby avoiding the possibility of displaces jeopardizing or forfeiting any of their benefits or payments. At the time of the initiation of negotiations (usually the first written offer to purchase), owner-occupants are given a detailed explanation of the state’s relocation services. Tenant occupants of properties to be acquired are contacted soon after the initiation of negotiations, and also are given a detailed explanation of the Caltrans Relocation Assistance Program. To avoid loss of possible benefits, no individual, family, business, farm, or nonprofit organization should commit to purchase or rent a replacement property without first contacting a Caltrans relocation advisor.

Relocation Assistance Advisory Services

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Caltrans will provide relocation advisory assistance to any person, business, farm or nonprofit organization displaced as a result of the acquisition of real property for public use, so long as they are legally present in the United States. Caltrans will assist eligible displaces in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are “decent, safe and sanitary.” Nonresidential displaces will receive information on comparable properties for lease or purchase (for business, farm and nonprofit organization relocation services, see below).

Residential replacement dwellings will be in a location generally not less desirable than the displacement neighborhood at prices or rents within the financial ability of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, comparable replacement dwellings will be offered to displacees that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include the supplying of information concerning federal and state assisted housing programs, and any other known services being offered by public and private agencies in the area.

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without first being given at least 90 days written notice. Residential occupants eligible for relocation payment(s) will not be required to move unless at least one comparable “decent, safe

and sanitary” replacement dwelling, available on the market, is offered to them by Caltrans.

Residential Relocation Payments

The Relocation Assistance Program will help eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for or incidental to the purchase or rental of a replacement dwelling and actual reasonable moving expenses to a new location within 50 miles of the displacement property. Any actual moving costs in excess of the 50 miles are the responsibility of the displace. The Residential Relocation Assistance Program can be summarized as follows:

Moving Costs

Any displaced person, who lawfully occupied the acquired property, regardless of the length of occupancy in the property acquired, will be eligible for reimbursement of moving costs. Displaces will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 50 miles, or a fixed payment based on a fixed moving cost schedule. Lawful occupants who move into the displacement property after the initiation of negotiations must wait until Caltrans obtains control of the property in order to be eligible for relocation payments.

Purchase Differential

In addition to moving and related expense payments, fully eligible homeowners may be entitled to payments for increased costs of replacement housing.

Homeowners who have owned and occupied their property for 180 days or more prior to the date of the initiation of negotiations (usually the first written offer to purchase the property), may qualify to receive a price differential payment and may qualify to receive reimbursement for certain nonrecurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest rate for the loan on the replacement dwelling is higher than the loan rate on the displacement dwelling, subject to certain limitations on reimbursement based upon the replacement property interest rate. The maximum combination of these three supplemental payments that the owner-occupant can receive is \$22,500. If the total entitlement (without the moving payments) is in excess of \$22,500, the Last Resort Housing Program will be used (see the explanation of the Last Resort Housing Program below).

Rent Differential

Tenants and certain owner-occupants (based on length of ownership) who have occupied the property to be acquired by Caltrans prior to the date of the initiation of negotiations may qualify to receive a rent differential payment. This payment is made when Caltrans determines that the cost to rent a comparable “decent, safe and sanitary” replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the tenant may qualify for a down payment benefit designed to assist in the purchase of a replacement property and the payment of certain costs incidental to the purchase, subject to certain limitations noted under the Down Payment section below. The maximum amount payable to any eligible tenant and any owner-occupant of less than 180 days, in addition to moving expenses, is \$5,250. If the total entitlement for rent supplement exceeds \$5,250, the Last Resort Housing Program will be used.

In order to receive any relocation benefits, the displaced person must buy or rent and occupy a “decent, safe and sanitary” replacement dwelling within one year from the date Caltrans takes legal possession of the property, or from the date the displace vacates the displacement property, whichever is later.

Down Payment

The down payment option has been designed to aid owner-occupants of less than 180 days and tenants in legal occupancy prior to Caltrans’ initiation of negotiations. The down payment and incidental expenses cannot exceed the maximum payment of \$5,250. The one-year eligibility period in which to purchase and occupy a “decent, safe and sanitary” replacement dwelling will apply.

Last Resort Housing

Federal regulations (49 CFR 24) contain the policy and procedure for implementing the Last Resort Housing Program on federal-aid projects. Last Resort Housing benefits are, except for the amounts of payments and the methods in making them, the same as those benefits for standard residential relocation as explained above. Last Resort Housing has been designed primarily to cover situations where a displace cannot be relocated because of lack of available comparable replacement housing, or when the anticipated replacement housing payments exceed the \$22,500 and \$5,250 limits of the standard relocation procedure, because either the displace lacks the financial ability or other valid circumstances.

After the initiation of negotiations, Caltrans will within a reasonable length of time, personally contact the displacees to gather important information, including the following:

- Number of people to be displaced
- Specific arrangements needed to accommodate any family member(s) with special needs
- Financial ability to relocate into comparable replacement dwelling which will adequately house all members of the family
- Preferences in area of relocation
- Location of employment or school

Nonresidential Relocation Assistance

The Nonresidential Relocation Assistance Program provides assistance to businesses, farms and nonprofit organizations in locating suitable replacement property, and reimbursement for certain costs involved in relocation. The Relocation Advisory Assistance Program will provide current lists of properties offered for sale or rent, suitable for a particular business's specific relocation needs. The types of payments available to eligible businesses, farms and nonprofit organizations are: searching and moving expenses, and possibly reestablishment expenses; or a fixed in lieu payment instead of any moving, searching and reestablishment expenses. The payment types can be summarized as follows:

Moving Expenses

Moving expenses may include the following actual, reasonable costs:

- The moving of inventory, machinery, equipment and similar business-related property, including: dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting of personal property. Items acquired in the Right of Way contract may not be moved under the Relocation Assistance Program. If the displacee buys an Item Pertaining to the Realty back at salvage value, the cost to move that item is borne by the displacee.
- Loss of tangible personal property provides payment for actual, direct loss of personal property that the owner is permitted not to move.
- Expenses related to searching for a new business site, up to \$2,500, for reasonable expenses actually incurred.

Reestablishment Expenses

Reestablishment expenses related to the operation of the business at the new location, up to \$10,000 for reasonable expenses actually incurred.

Fixed In Lieu Payment

A fixed payment in lieu of moving, searching, and reestablishment payments may be available to businesses which meet certain eligibility requirements. This payment is an amount equal to half the average annual net earnings for the last two taxable years prior to the relocation and may not be less than \$1,000 nor more than \$20,000.

Additional Information

Reimbursement for moving costs and replacement housing payments are not considered income for the purpose of the Internal Revenue Code of 1954, or for the purpose of determining the extent of eligibility of a displacee for assistance under the Social Security Act, or any other law, except for any federal law providing local "Section 8" Housing Programs.

Any person, business, farm or nonprofit organization which has been refused a relocation payment by the Caltrans relocation advisor or believes that the payment(s) offered by the agency are inadequate, may appeal for a special hearing of the complaint. No legal assistance is required. Information about the appeal procedure is available from the relocation advisor.

California law allows for payment for lost goodwill that arises from the displacement for a public project. A list of ineligible expenses can be obtained from Caltrans Right of Way. California's law and the federal regulations covering relocation assistance provide that no payment shall be duplicated by other payments being made by the displacing agency.

Residential Relocation Payments Program

For more information or a brochure on the residential relocation program, please contact Chanin McKeighen at Chanin.McKeighen@dot.ca.gov, or (559) 445-6237.

The brochure on the residential relocation program is also available in English at http://www.dot.ca.gov/hq/row/pubs/residential_english.pdf and in Spanish at http://www.dot.ca.gov/hq/row/pubs/residential_spanish.pdf.

If you own or rent a mobile home that may be moved or acquired by Caltrans, a relocation brochure is available in English at

http://www.dot.ca.gov/hq/row/pubs/mobile_eng.pdf and in Spanish at http://www.dot.ca.gov/hq/row/pubs/mobile_sp.pdf.

Business and Farm Relocation Assistance Program

For more information or a brochure on the relocation of a business or farm, please contact Chanin McKeighen at Chanin.McKeighen@dot.ca.gov, or (559) 445-6237.

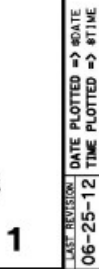
The brochure on the business relocation program is also available in English at http://www.dot.ca.gov/hq/row/pubs/business_farm.pdf and in Spanish at http://www.dot.ca.gov/hq/row/pubs/business_sp.pdf.

Additional Information

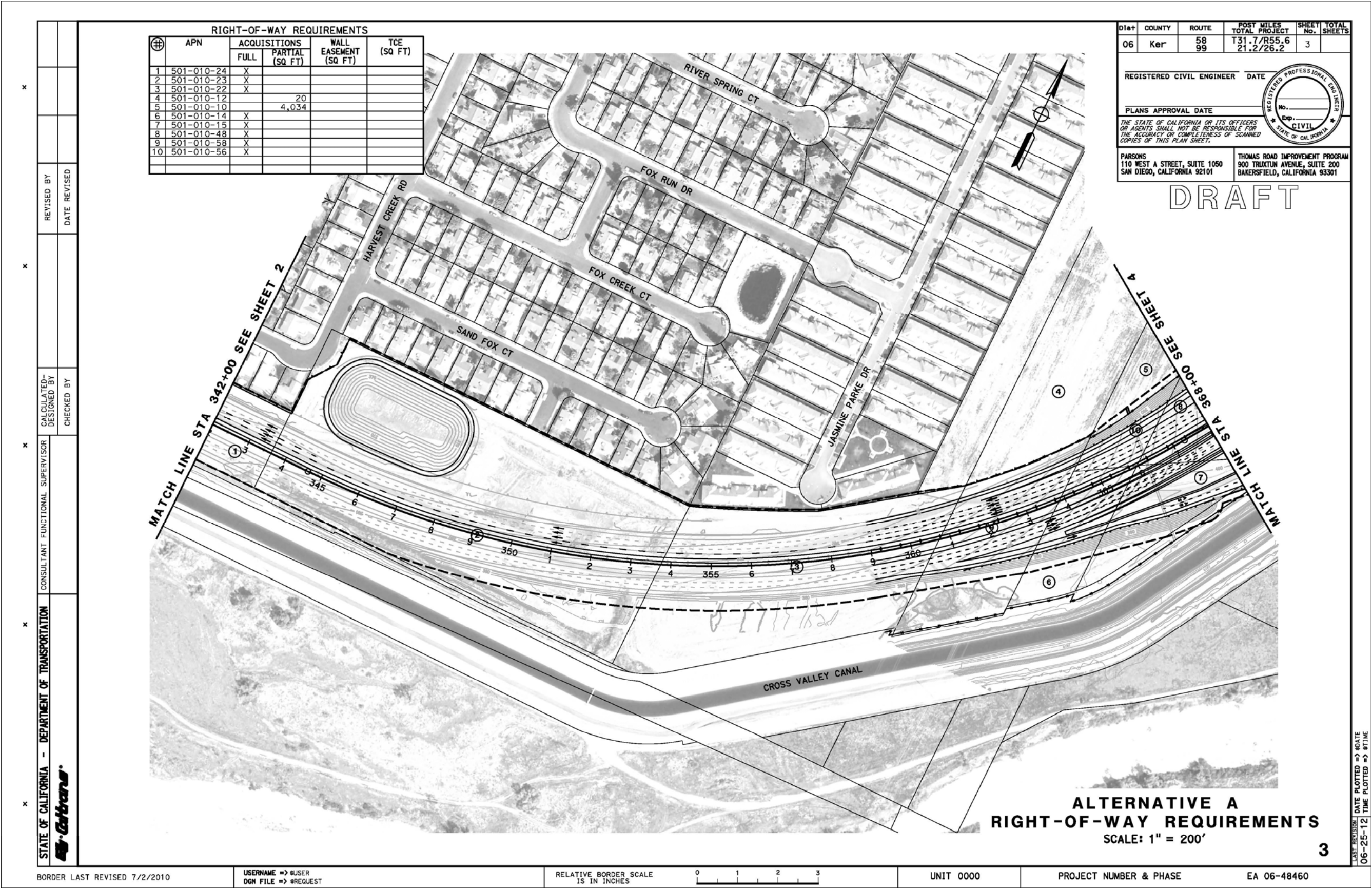
No relocation payment received would be considered as income for the purpose of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law (except for any federal law providing low-income housing assistance).

Appendix E Project Plans/Right-of-Way Requirements









DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL No. SHEETS
06	Ker	58 99	T31.7/R55.6 21.2/26.2	3

REGISTERED CIVIL ENGINEER

DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

PARSONS
110 WEST A STREET, SUITE 1050
SAN DIEGO, CALIFORNIA 92101

THOMAS ROAD IMPROVEMENT PROGRAM
900 TRUKTUN AVENUE, SUITE 200
BAKERSFIELD, CALIFORNIA 93301

REGISTERED PROFESSIONAL ENGINEER

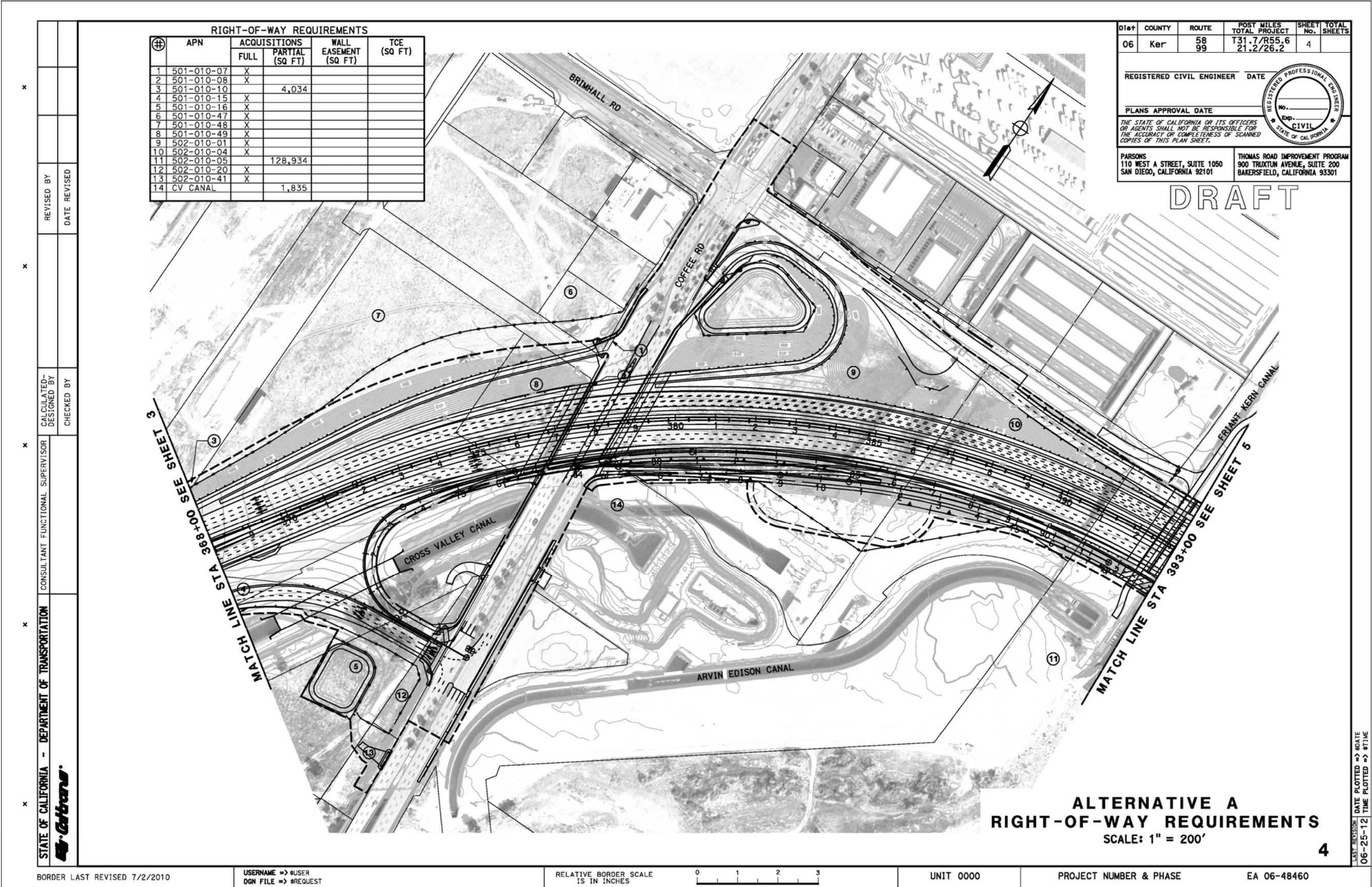
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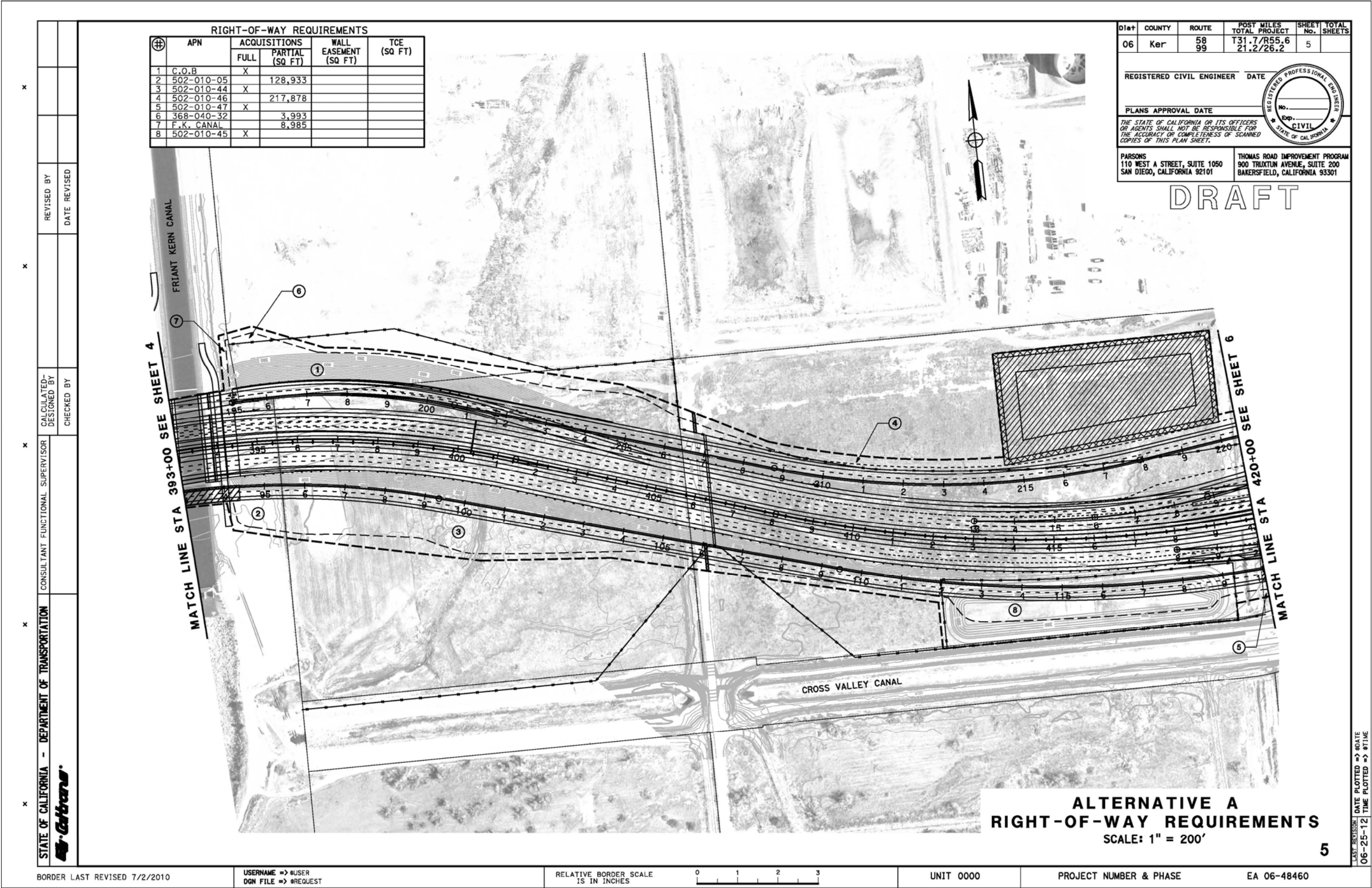
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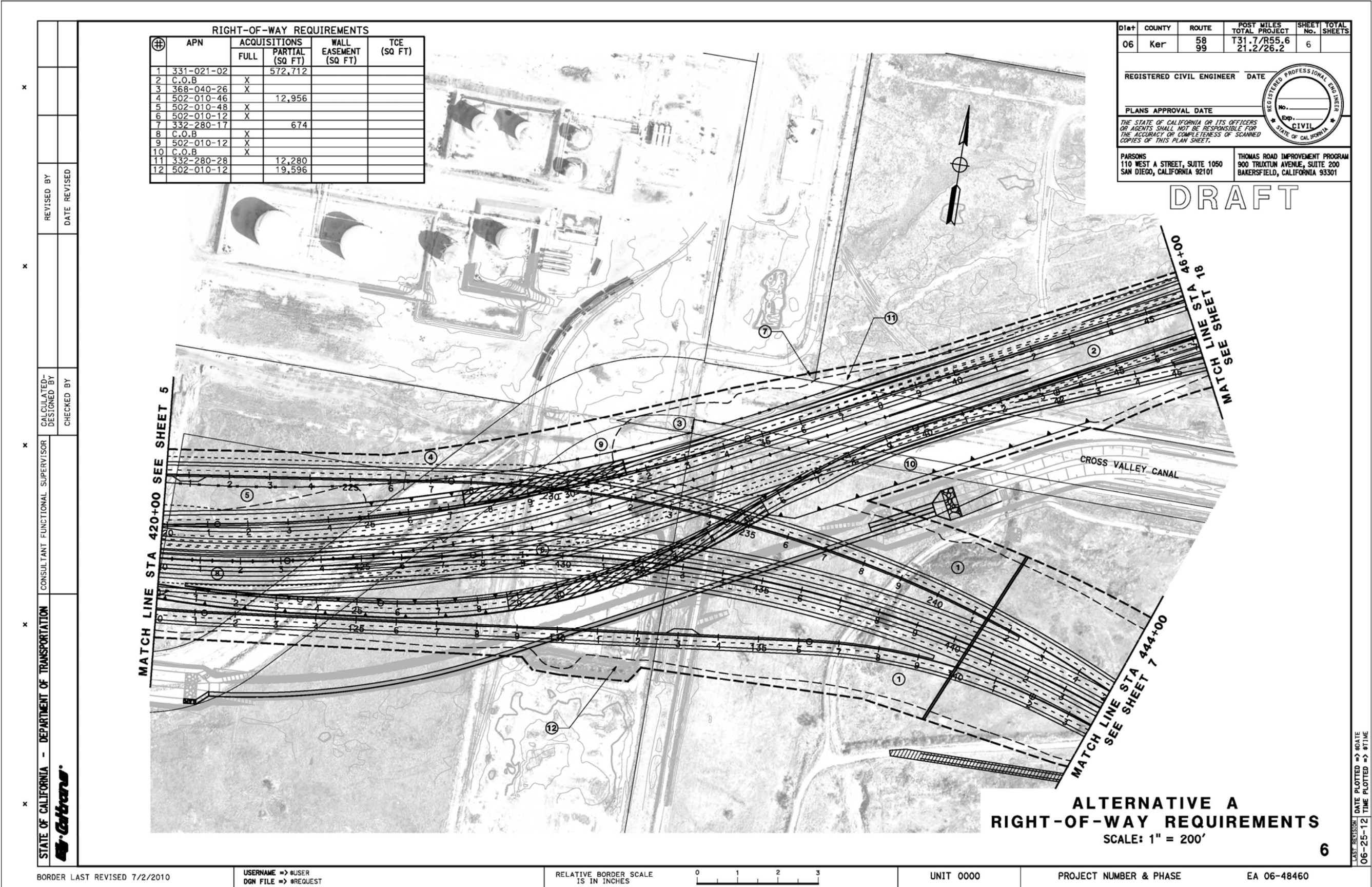
CIVIL

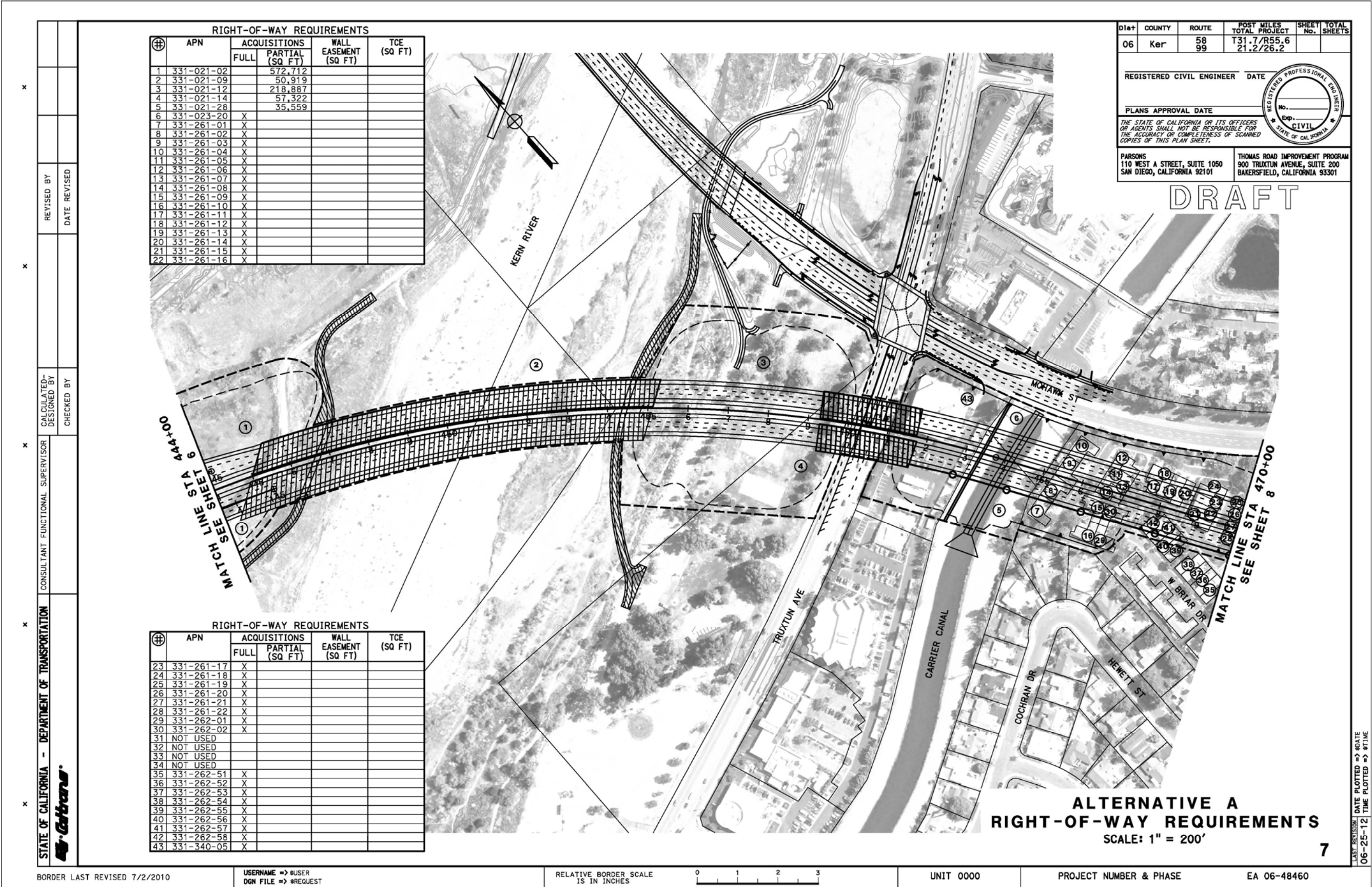
STATE OF CALIFORNIA


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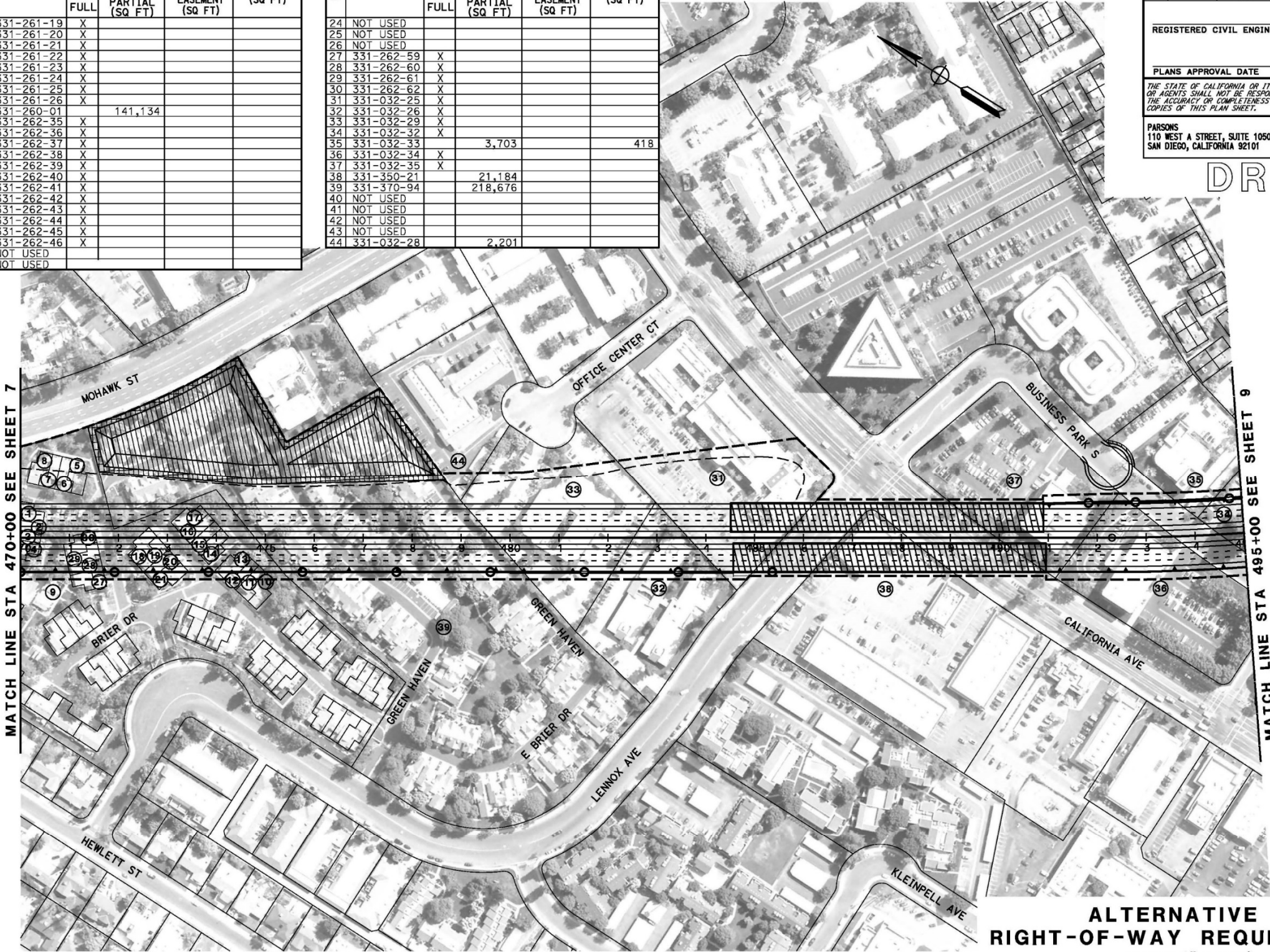




STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	CONSULTANT FUNCTIONAL SUPERVISOR	CALCULATED-DESIGNED BY	REVISOR	DATE
				

RIGHT-OF-WAY REQUIREMENTS				
STATION	APN	ACQUISITIONS		TCE (SQ FT)
		FULL	PARTIAL (SQ FT)	
1	331-261-19	X		
2	331-261-20	X		
3	331-261-21	X		
4	331-261-22	X		
5	331-261-23	X		
6	331-261-24	X		
7	331-261-25	X		
8	331-261-26	X		
9	331-260-01		141,134	
10	331-262-35	X		
11	331-262-36	X		
12	331-262-37	X		
13	331-262-38	X		
14	331-262-39	X		
15	331-262-40	X		
16	331-262-41	X		
17	331-262-42	X		
18	331-262-43	X		
19	331-262-44	X		
20	331-262-45	X		
21	331-262-46	X		
22	NOT USED			
23	NOT USED			

RIGHT-OF-WAY REQUIREMENTS				
STATION	APN	ACQUISITIONS		TCE (SQ FT)
		FULL	PARTIAL (SQ FT)	
24	NOT USED			
25	NOT USED			
26	NOT USED			
27	331-262-59	X		
28	331-262-60	X		
29	331-262-61	X		
30	331-262-62	X		
31	331-032-25	X		
32	331-032-26	X		
33	331-032-29	X		
34	331-032-32	X		
35	331-032-33		3,703	418
36	331-032-34	X		
37	331-032-35	X		
38	331-350-21		21,184	
39	331-370-94		218,676	
40	NOT USED			
41	NOT USED			
42	NOT USED			
43	NOT USED			
44	331-032-28		2,201	



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL No. SHEETS
06	Ker	58 99	T31.7/R55.6 21.2/26.2	8

REGISTERED CIVIL ENGINEER

DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

PARSONS
110 WEST A STREET, SUITE 1050
SAN DIEGO, CALIFORNIA 92101

THOMAS ROAD IMPROVEMENT PROGRAM
900 TRUXTON AVENUE, SUITE 200
BAKERSFIELD, CALIFORNIA 93301

REGISTERED PROFESSIONAL ENGINEER

No.

Exp.

CIVIL

STATE OF CALIFORNIA

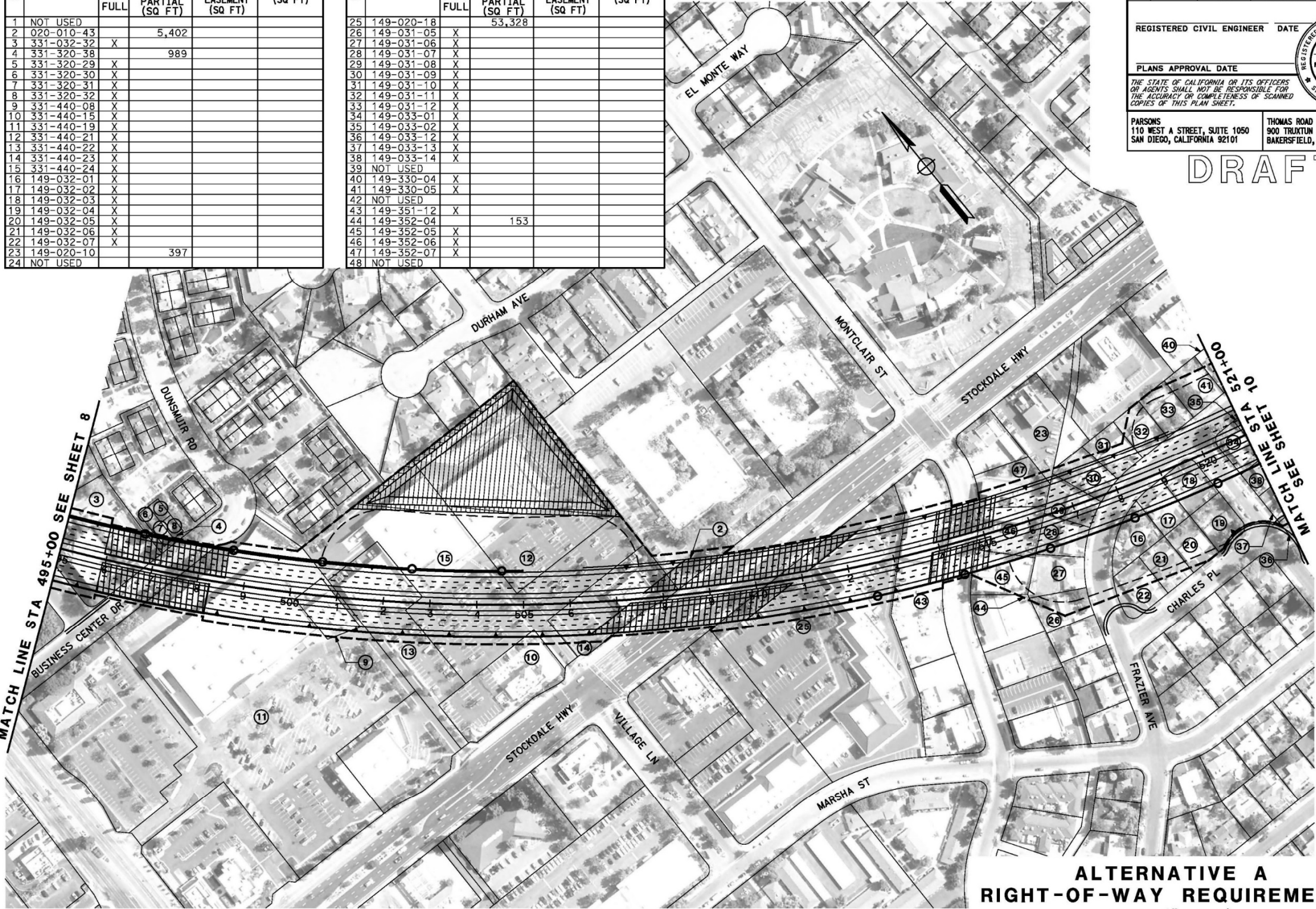
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ALTERNATIVE A
RIGHT-OF-WAY REQUIREMENTS
SCALE: 1" = 200'

LAST REVISION
DATE PLOTTED => #DATE
06-25-12
TIME PLOTTED => #TIME

x	REVISOR	REVISION	DATE	BY	CHECKED BY	DESIGNED BY	SUPERVISOR	CONSULTANT	FUNCTIONAL	DEPARTMENT OF TRANSPORTATION	STATE OF CALIFORNIA
x											
x											
x											
x											

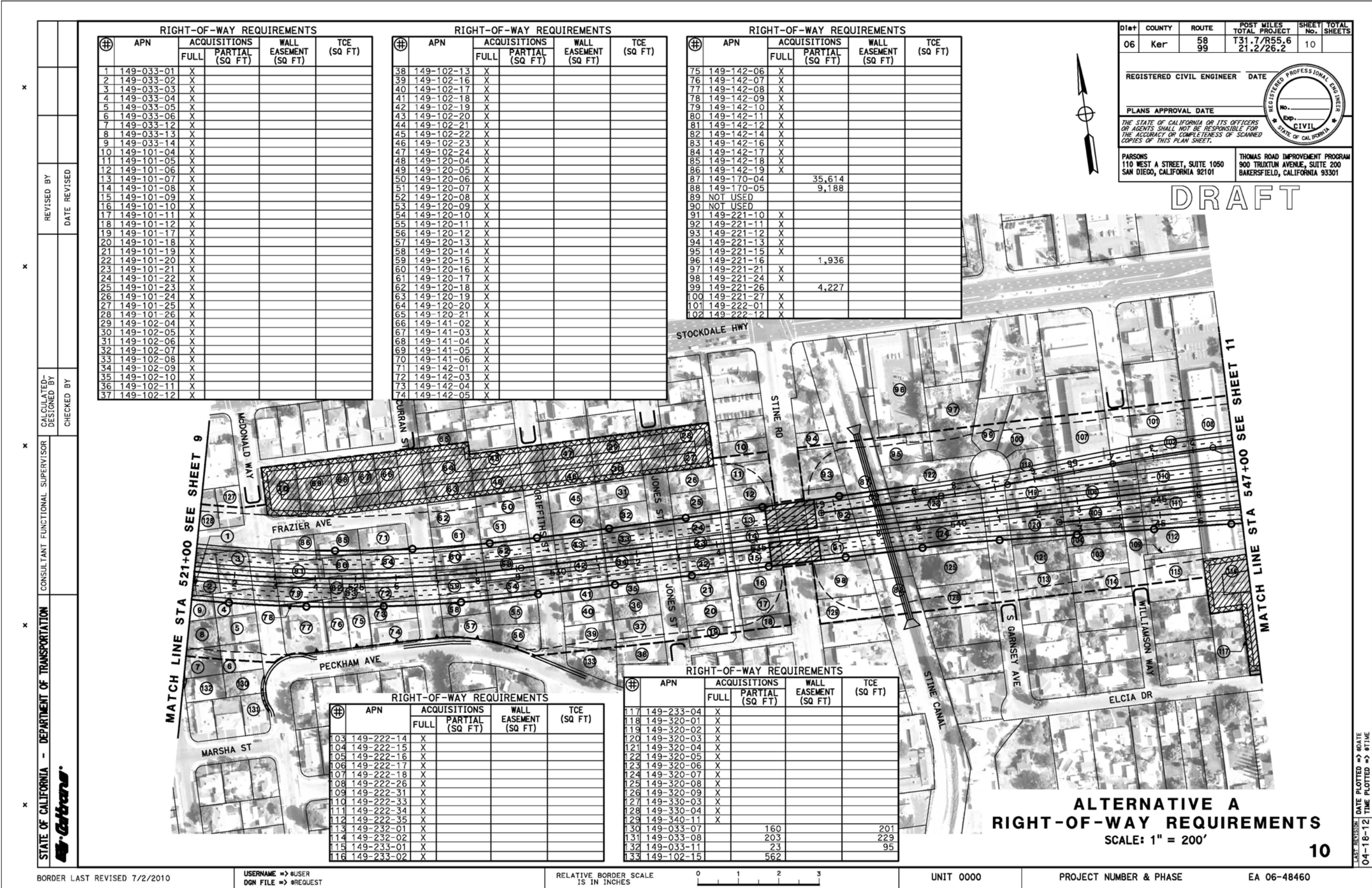
RIGHT-OF-WAY REQUIREMENTS					RIGHT-OF-WAY REQUIREMENTS				
+	APN	ACQUISITIONS		TCE (SQ FT)	+	APN	ACQUISITIONS		TCE (SQ FT)
		FULL	PARTIAL (SQ FT)				FULL	PARTIAL (SQ FT)	
1	NOT USED				25	149-020-18			
2	020-010-43		5,402		26	149-031-05	X	53,328	
3	331-032-32	X			27	149-031-06	X		
4	331-320-38		989		28	149-031-07	X		
5	331-320-29	X			29	149-031-08	X		
6	331-320-30	X			30	149-031-09	X		
7	331-320-31	X			31	149-031-10	X		
8	331-320-32	X			32	149-031-11	X		
9	331-440-08	X			33	149-031-12	X		
10	331-440-15	X			34	149-033-01	X		
11	331-440-19	X			35	149-033-02	X		
12	331-440-21	X			36	149-033-12	X		
13	331-440-22	X			37	149-033-13	X		
14	331-440-23	X			38	149-033-14	X		
15	331-440-24	X			39	NOT USED			
16	149-032-01	X			40	149-330-04	X		
17	149-032-02	X			41	149-330-05	X		
18	149-032-03	X			42	NOT USED			
19	149-032-04	X			43	149-351-12	X		
20	149-032-05	X			44	149-352-04		153	
21	149-032-06	X			45	149-352-05	X		
22	149-032-07	X			46	149-352-06	X		
23	149-020-10		397		47	149-352-07	X		
24	NOT USED				48	NOT USED			

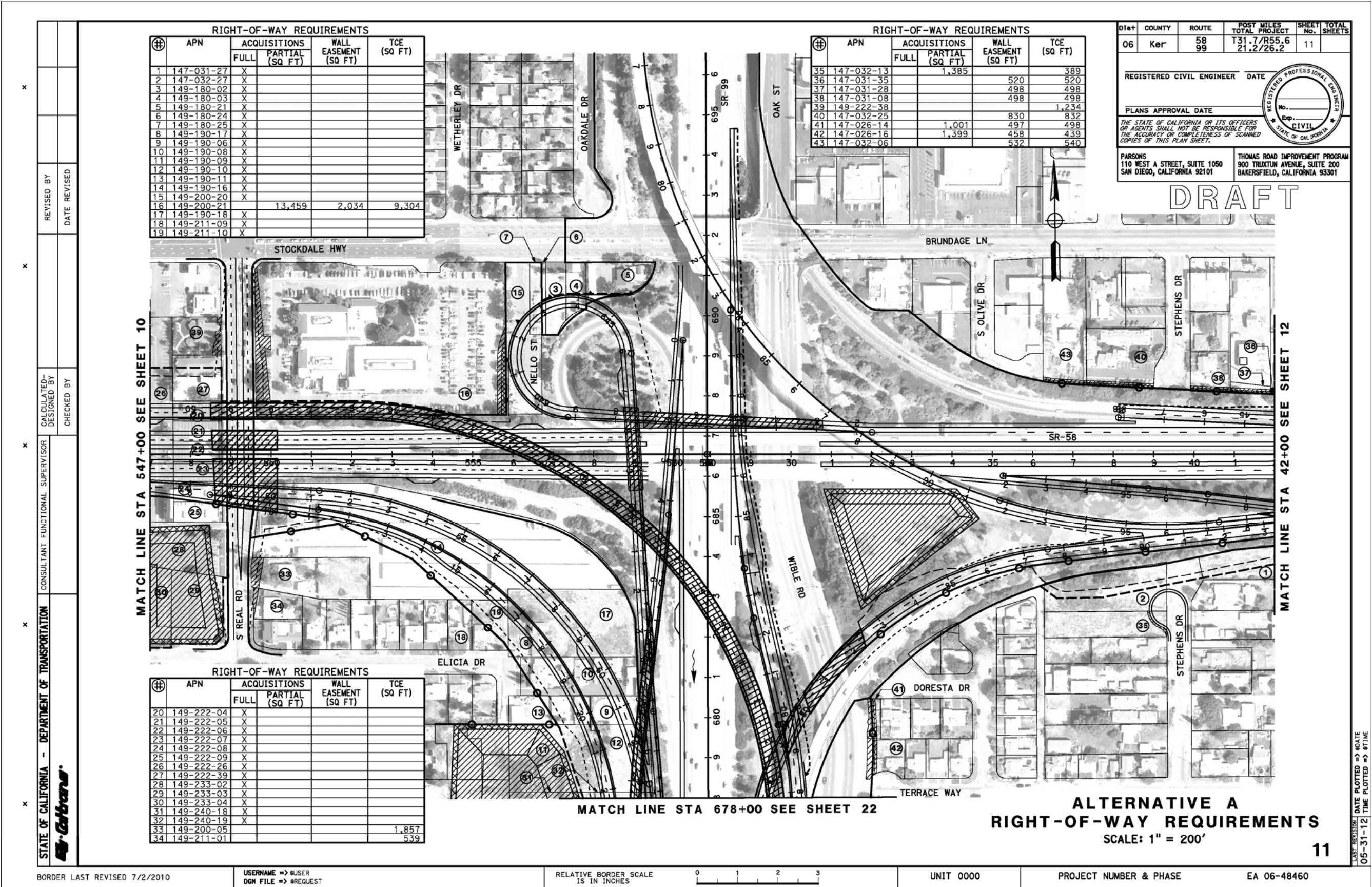


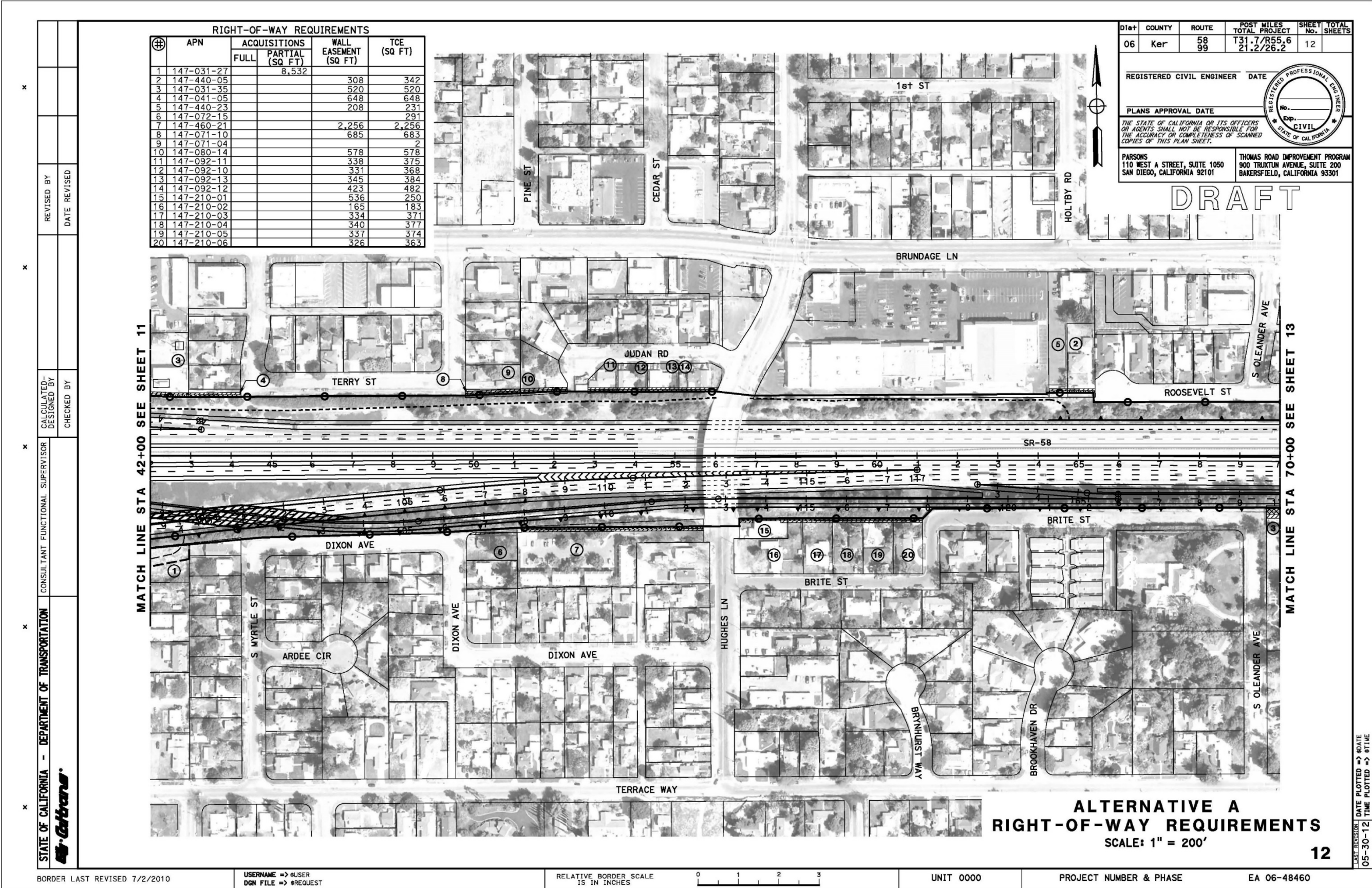
DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL No. SHEETS
06	Ker	58 99	T31.7/R55.6 21.2/26.2	9
REGISTERED CIVIL ENGINEER		DATE		
PLANS APPROVAL DATE		No. Exp. CIVIL STATE OF CALIFORNIA		
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.				
PARSONS 110 WEST A STREET, SUITE 1050 SAN DIEGO, CALIFORNIA 92101		THOMAS ROAD IMPROVEMENT PROGRAM 900 TRUXTON AVENUE, SUITE 200 BAKERSFIELD, CALIFORNIA 93301		

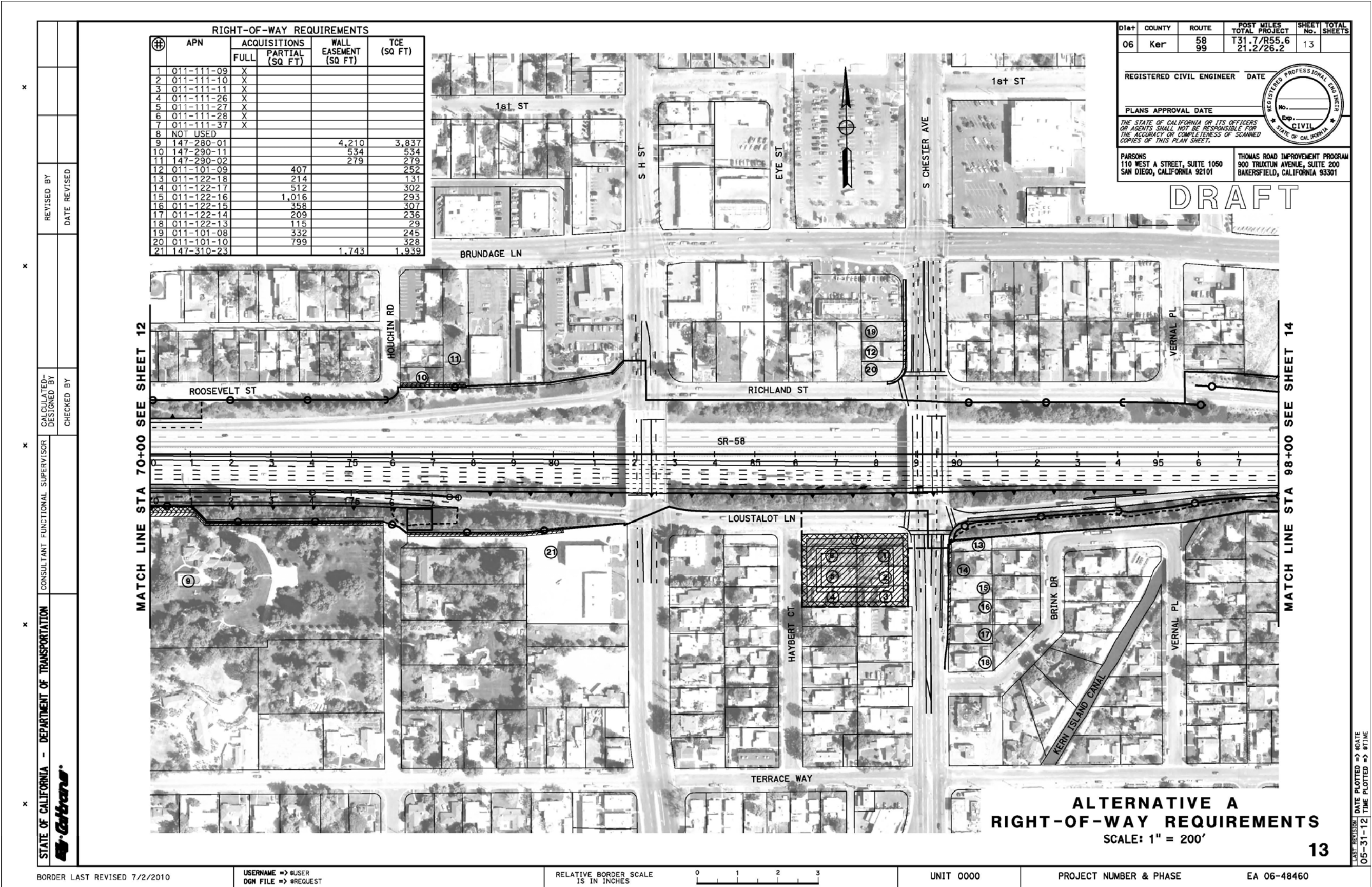
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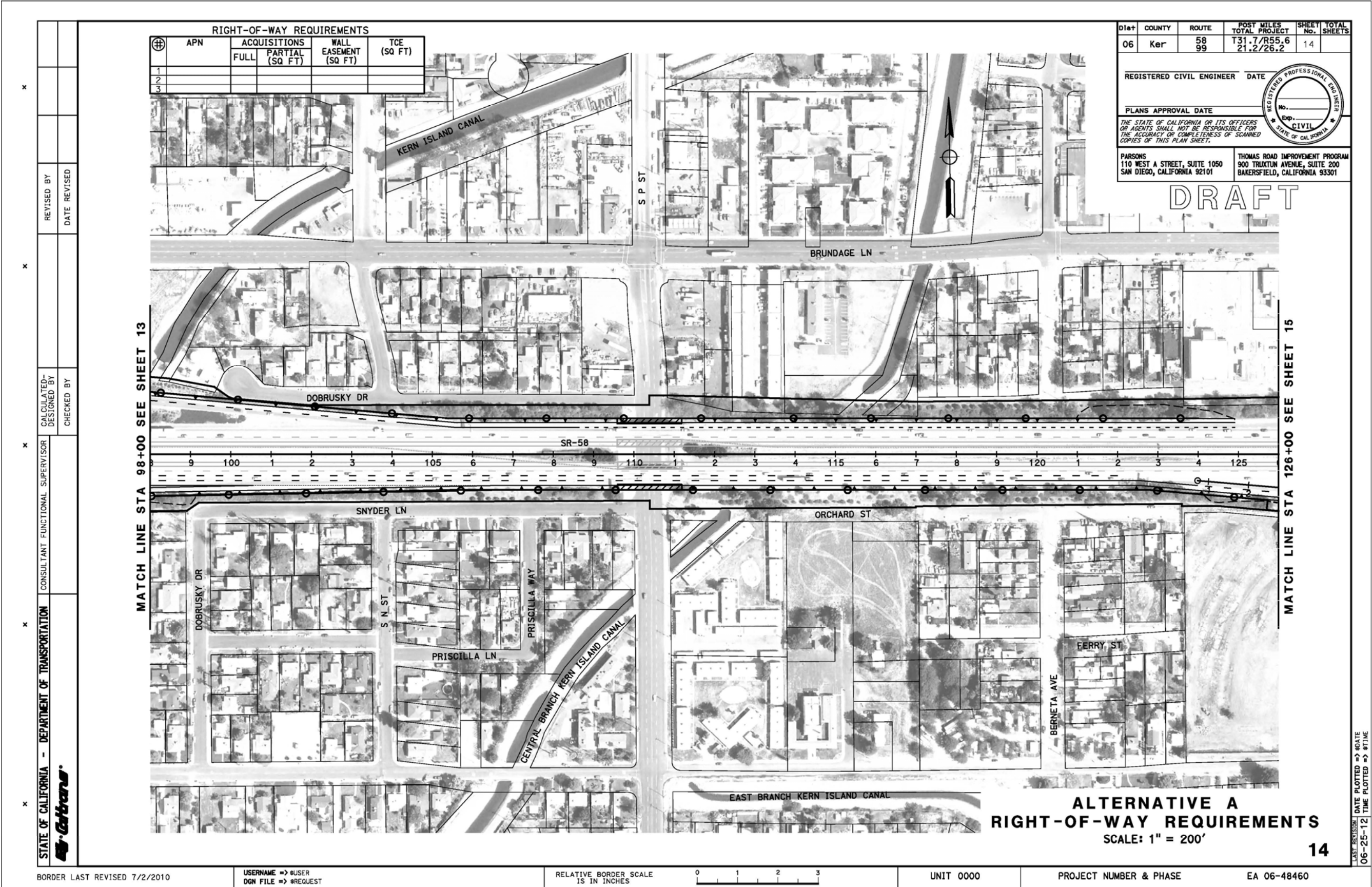
ALTERNATIVE A
RIGHT-OF-WAY REQUIREMENTS
SCALE: 1" = 200'

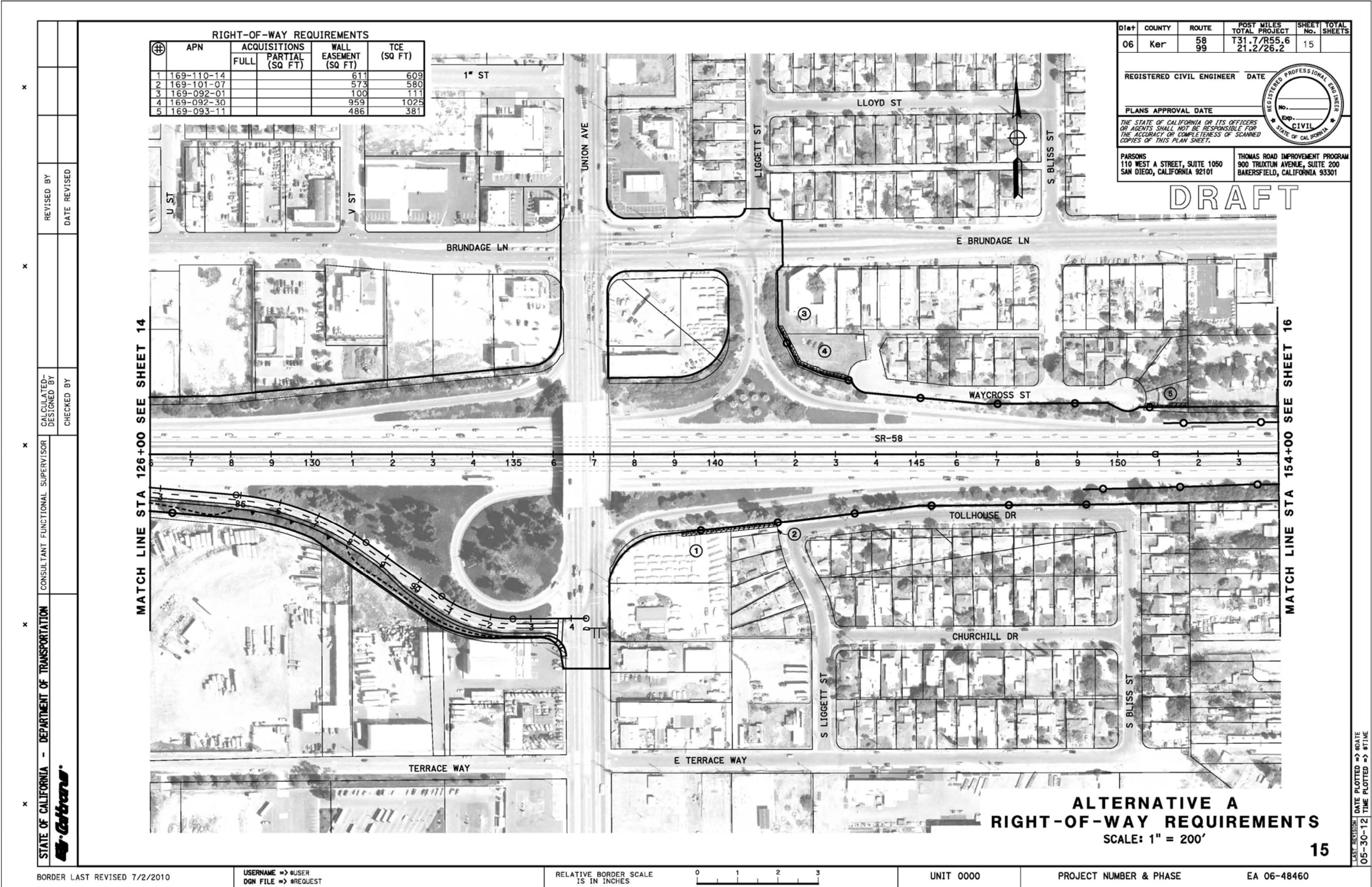


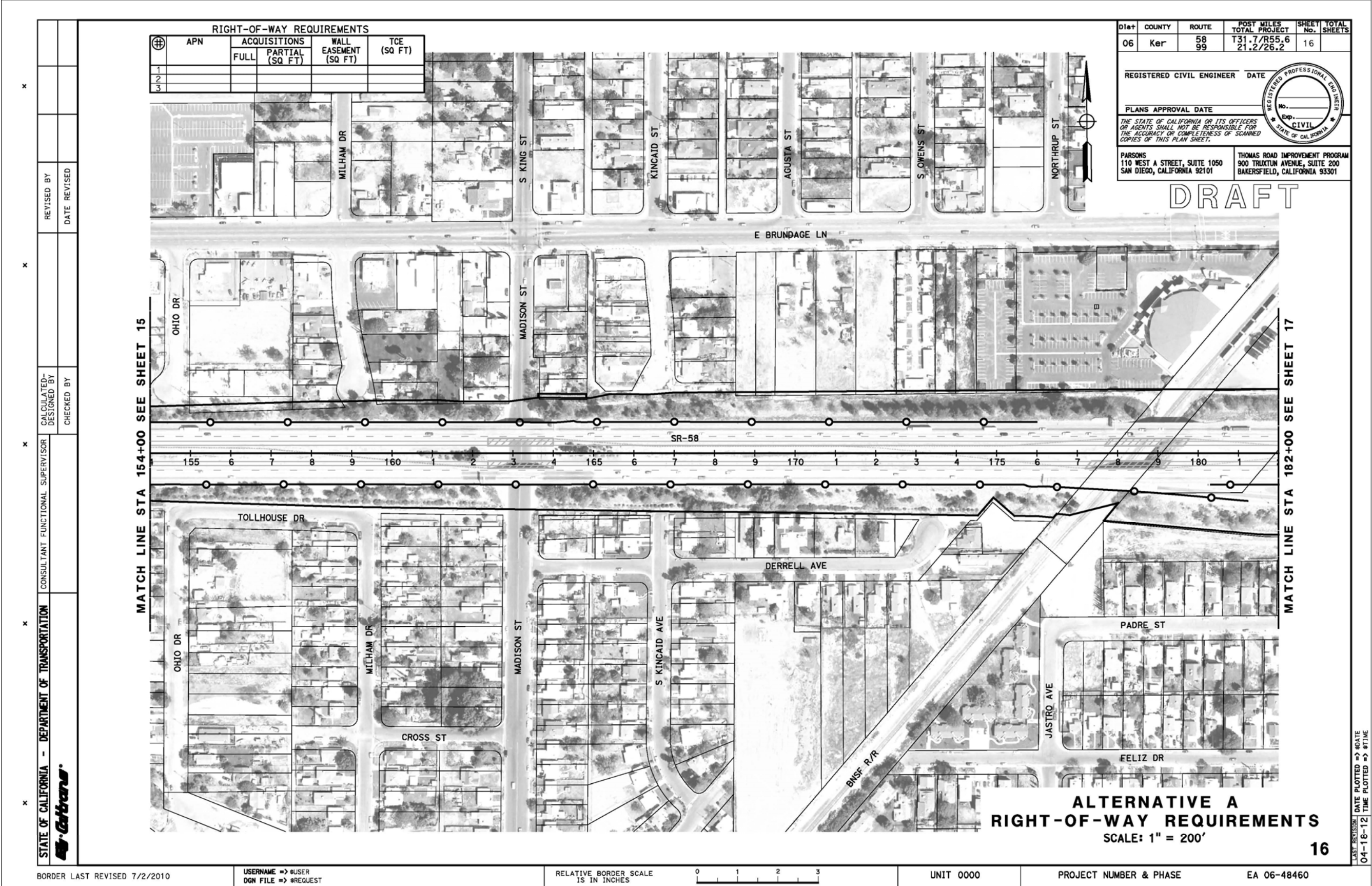












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